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LOK SABHA DEBATES

Tenth Session
(Second Lok Sabha)

LOK SABHA SECRETARIAT

New Delhi

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LOK SABHA

Thursday, April 28, 1960/Vaisakha 8, 1882 (Saka).

The Lok Sabha met at Eleven of the Clock.

[MR. SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

Labour Participation in Management

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*1778. **Shri Ram Krishan Gupta:**
Shri Raghunath Singh:
Shri Pangarkar:

Will the Minister of **Labour and Employment** be pleased to refer to the reply given to Starred Question No. 612 on the 7th December, 1959 and state:

(a) whether Conference of the representatives of undertakings and some experts has been convened to assess the results of the scheme of Labour participation in management; and

(b) if so, the result thereof?

The Parliamentary Secretary to the Minister of Labour and Employment and Planning (Shri L. N. Mishra): (a) and (b). A Seminar was held on the 8th and the 9th March, 1960. It was reported that the Joint management Councils have been generally working successfully in the undertakings where they have been set up.

Shri Ram Krishan Gupta: May I know the nature of the points discussed and the suggestions made in this seminar?

Shri L. N. Mishra: The seminar discussed a number of questions such as whether the incidence of labour dispute has decreased as a result of workers' participation in management, whether there was need for legislative process and whether there has been improvement in production and what should be the administrative function of the joint councils. A number of recommendations were made that the scheme should be extended to more units, that there should be some machinery at the central and regional level and that there was no need for any legislative measure at the present moment. Many other suggestions were also there.

Shri Raghunath Singh: May I know whether this scheme is working successfully and if so, in how many concerns?

Shri L. N. Mishra: Out of 24 units where this scheme has been set up 22 units participated and the scheme had worked very well in 20 units.

Shri Ram Krishan Gupta: In the light of the experience gained, may I know whether there is any proposal to increase the powers and functions of this joint council?

Shri L. N. Mishra: The seminar considered this point also. At the present moment it was felt that there was no need to extend the functions of the joint management councils but there should be proper delegation of powers to the lower levels of management.

Shri Sadhan Gupta: May I know whether the conclusions of the seminar were arrived at unanimously?

Shri L. N. Mishra: Yes, Sir.

Shri Narasimhan: Is it a fact that in some cases outsiders were elected to represent the labour and has it created any difficulty?

Shri L. N. Mishra: The representatives are there according to the decisions made by the tripartite meetings held about a year ago. So, there is

no such difficulty to retard the progress.

Shri Narasimhan: Has the Government's attention been drawn to the report of the Estimates Committee that a non-worker had been elected to the Hindustan Machine Tools Ltd. and it has created some difficulties?

Shri L. N. Mishra: About a few days ago in this session, I had answered a question about the HMT. There was some difficulty as a result of rivalry between two unions.

Shri Hem Barua: In view of the implementation of this scheme in certain units, may I know whether labour relations have improved so far?

Shri L. N. Mishra: That is the main object and our information is that it has helped the situation.

Shri Jaipal Singh: Will this labour participation in management be extended to all the public undertakings in due course?

Shri L. N. Mishra: It is our aim to extend it progressively.

Shri Narasimhan: The Estimates Committee had actually reported and the report had been placed before us that the election of an outsider, not a labourer working there, had created some difficulties. What further explanation has the Ministry to give?

Shri L. N. Mishra: I have said that so far as the HMT is concerned, there is the union rivalry. The union which got representation on the committee did not hold any proper election; there was a kind of nomination. Another union was set up and that claimed more membership. Then those people who nominated were asked to have elections. As a result of these things, there was some rivalry.

Shri Ram Krishan Gupta: May I know whether it is a fact that most of the units which agreed to set up these councils have not done so far? What action do the Government propose to take?

Shri L. N. Mishra: So far 20 units have set up management councils and they are working.

Popularisation of 'Bidies'

*1779. **Shri P. K. Deo:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether an Indian delegation visited East Africa to popularise Indian 'bidies';

(b) if so, how far the delegation was successful; and

(c) whether the export has shown any sign of increase?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) A delegation had gone to some African countries and Aden in the summer of 1956.

(b) and (c). The delegation reported that the scope for marketing Indian 'Bidies' in those countries was extremely limited due to high import duties and the availability of locally made cheap cigarettes.

Shri P. K. Deo: How much foreign exchange do we get by the export of bidies?

Shri Satish Chandra: We exported bidies worth Rs. 62 lakhs in 1959.

Shri P. K. Deo: In view of the fact that we export large quantities of bidi leaves to Pakistan, may I know whether the Government is considering the export of bidies instead of bidi leaves so that our cottage industry may flourish?

Shri Satish Chandra: We try to explore the possibility of exporting as much bidies as possible. We export bidies worth Rs. 62 lakhs and bidi tobacco worth about Rs. 22 lakhs. There is a large surplus of bidi leaves in the country and if we earn some foreign exchange by the export of these leaves, we should do so. But

whenever we can sell our bidies, we try to sell them.

Shri Vidhya Charan Shukla: What is the ratio of bidi leaves to manufactured bidies exported to Pakistan?

Shri Satish Chandra: I have not got the figures just now.

Shri Sampath: May I know whether the bidi producers of the southern districts had been experiencing some difficulties in the export of bidies to Ceylon? Did they make any representations to the Government?

Shri Satish Chandra: The export of bidies to Ceylon was for more than Rs. 47 lakhs out of the total of Rs. 62 lakhs which I mentioned. This was of course less than last year.

Mr. Speaker: The simple question is whether any representation has been made by the bidi producers that there was some difficulty.

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): Some representations were made and we took up the matter through our High Commission with the Ceylon Government and we have been able to achieve some success in that regard.

Shri C. D. Pande: Instead of making efforts to export bidies, would the Government consider the possibility of exporting Andhra-made cheap cigars which compare very favourably in the western markets? That would be much better than the bidies.

Shri Lal Bahadur Shastri: We will certainly take special interest in that regard but the hon. Member is aware that most of the tobacco which is exported is from Andhra State itself.

Import of writing and printing papers

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*1780. **Shri Chintamoni Panigrahi:**
Shri Subodh Hansda:
Shri R. C. Majhi:
Shri S. C. Samanta:

Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether the decision to import writing and printing paper through State Trading Corporation has since materialised;

(b) if so, the quantity imported by now; and

(c) the names of countries from which imported?

The Minister of Commerce (Shri Kanungo): (a) No, Sir.

(b) and (c). Do not arise.

Shri Chintamoni Panigrahi: May I know whether the Government has received reports from the different States with regard to the acute shortage of printing papers and text books are not being published and if so what steps are being taken in this regard?

Shri Kanungo: There is shortage of paper and that is why the Government asked the STC to explore the possibilities of the import of paper. But so far the exploration has not been successful.

Shri Chintamoni Panigrahi: May I know the countries from which the State Trading Corporation wanted to import printing paper and what exploratory measures have been taken so far?

Shri Kanungo: We have tried our rupee import sources and we have drawn a blank, now we have to think of barters because we cannot afford to import on free exchange basis.

Shri S. C. Samanta: May I know how much amount of writing and printing paper was imported last year, and what steps are going to be taken to manufacture the same variety in the country?

Shri Kanungo: The question has been answered several times that several licences have been issued, and it is likely that in the course of two or three years the capacity will increase. I have not got the figures of imported papers relating to last year.

Shri Vidya Charan Shukla: May we know the reason because of which the decision to import paper through

the State Trading Corporation could not materialise?

Shri Kanungo: The reasons are that papers are not available from rupee payment sources.

Shri Chintamoni Panigrahi: Before we get the paper that is going to be imported, may I know whether the Government has formulated any policy or measures to meet the difficulties which the different publishers in the different States are facing because of lack of printing paper?

Shri Kanungo: There is shortage of paper, but the latest reports are that the prices are dropping down.

Shri Chintamoni Panigrahi: May I know the prices prevailing in the different States so far as white printing paper is concerned, and how far the prices have been reduced?

The Minister of Industry (Shri Manubhai Shah): If I may explain, Sir, the Tariff Commission's Report which the Government accepted has eased the situation considerably. I may draw the attention of the hon. Member that previously the production of different papers was entirely left to the discretion of manufacturers, whereas under the new direction given 66 per cent of paper has to be made of the variety which is largest in demand, namely, white printing paper. Therefore, the situation has considerably eased. Also, in order to augment further supply the S.T.C. is trying to contract for 25,000 tons most of which would be used by the W.H.S. Ministry and the Controller of Printing.

Shri Hem Barua: In view of the malpractices indulged in by the traders at present, may I know whether the Government propose or have already done something to enforce the ex-works and selling prices of the 24 varieties of paper as recommended by the Tariff Commission?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): There has been, as the hon. Member just now said, shortage of paper and, therefore, difficulty is experienced by the consumers, but we have been taking steps to tackle the situation. There has been some difficulty, no doubt, in regard to proper distribution of paper, besides the shortage of paper. So in regard to the question of distribution we have decided to hold a conference of the manufacturers as well as dealers and the different associations of the paper industry. It will be held sometime in the first week of next month, and I hope it will be possible to find ways and means to arrange for better distribution of paper.

Shri Hem Barua: What is the present shortfall compared to internal output on a percentage basis?

Shri Lal Bahadur Shastri: The shortfall at the present moment is of the order of 50,000 tons.

Mr. Speaker: He wanted to know the percentage.

Shri Hem Barua: There is some internal output and there is also demand. There is also some shortfall. I want to know what is the shortfall on a percentage basis.

Shri Manubhai Shah: About 15 per cent to 20 per cent. The present production is about three lakh tons and the demand is estimated at about 3·75 lakhs tons to about four lakh tons.

सघन क्षेत्र योजना

*१७८१. **श्री प्रकाश वीर शास्त्री :** क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) भारत में सघन क्षेत्र योजना का प्रयोग कहां तक सफल रहा है ;

(ख) क्या यह सच है कि इस योजना को कार्यान्वित करने के लिये अनुभवी कार्यकर्ताओं की कमी है ; और

(ग) इस योजना पर सरकार ने अब तक कितना व्यय किया है ?

उद्योग मंत्री (श्री मनुभाई शाह) : (क) से (ग). एक विवरण सभा की मेज पर रखा जाता है जिसमें अपेक्षित जानकारी दी गयी है । **[देखिये परिशिष्ट ४, अनुबन्ध संख्या ९४]** ।

श्री प्रकाश वीर शास्त्री : क्या मैं जान सकता हूं कि जहां जहां यह योजना चल रही है वहां आर्थिक दुरुपयोग संबंधी भी कुछ शिकायतें सरकार को प्राप्त हुई हैं, यदि हुई है, तो इस संबंध में उसके निराकरण के लिय अब तक क्या प्रयत्न किय गय हैं ?

श्री मनुभाई शाह : कोई खास दुरुपयोग की हमारे पास कम्पलेंट्स वगैरह नहीं आई है । जैसे मैंन स्टेटमेंट में बताया है कि सघन क्षेत्र योजना काफी सफल साबित हुई है । सिर्फ उसमें कहीं भी खींच है, कमी है, तो वह अच्छे फील्ड वर्कर्स की है । जहां पर अच्छी सेवा करने वाले जायज सेवा करने वाले दोस्त मिलते हैं, वहां पर हमें ज्यादा सफलता मिलती है ।

श्री प्रकाश वीर शास्त्री : क्या मैं जान सकता हूं कि सघन क्षत्र योजना के लिये अनुभवी कार्यकर्ता उपलब्ध हो सकें, इस दिशा में आप कुछ प्रयत्न कर रहे हैं ?

श्री मनुभाई शाह : उसमें भी ट्रेनिंग कोंसिस कमिशन कर रहे हैं और यहां से भी हम मदद करते हैं । लेकिन उसमें ज्यादा ट्रेंड आदमियों के बजाय जिन्होंने अपने जीवन में ज्यादा सेवा कार्य किया हो और जो बिना वेतन के काम करने के लिये और मदद करने के लिये तैयार हों, ऐसे आदमियों की अधिक जरूरत रहती है ।

Shri Tyagi: Have not a number of cases been reported to the Government, cases pertaining to embezzlement and misuse of public money in the Saghan Kshetras, by the Auditor?

Shri Manubhai Shah: Not of any considerable size. As far as the Audit Reports are concerned, it is true that when a decentralised industry and activity such as this is spread over the vast size of a country like India some technical defalcations, over-drawals or less-drawals of payment are being brought to our notice from time to time in respect of some places, but as the House is aware, from the various Audit Reports the Ministry and the Commission have tried to remedy the situation as early as possible.

श्री प्रकाश वीर शास्त्री : सघन क्षेत्र योजना के अन्तर्गत कौन कौन से कार्य अब तक चालू हुये हैं और उनमें कहां तक सफलता प्राप्त हुई है ?

श्री मनुभाई शाह : खेती और एग्रो-इंडस्ट्रीज उसका बेसिस है ।

सुरक्षा संबंधी उपायों का कथित पता लग जाना

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*१७८२. **श्री खुशवक्त राय :**
श्री प्र० गं० देव :
श्री अर्जुन सिंह भदौरिया:
श्री स० अ० मेहदी :
श्री रघुनाथ सिंह :

क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि उन्होंने उत्तर प्रदेश के मुख्य मंत्री को सीमाओं की सुरक्षा के संबंध में एक पत्र भेजा था ;

(ख) क्या यह भी सूचना मिली है कि किसी सरकारी कर्मचारी द्वारा वह पत्र अथवा उसकी प्रतिलिपि बम्बई स्थित चीनी वाणिज्य दूतालय के किन्हीं व्यक्तियों को दिखाई गई थी ; और

(ग) इस संबंध में क्या कार्यवाही की गई है ?

वैदेशिक-कार्य मंत्री के सभा सचिव (श्री सादत अली खां) : (क) जी हां ।

(ख) और (ग) : राज्य सरकार द्वारा की गई पूछताछ से पता चला है कि किसी तरह

का भेद नहीं खुला है और जो आरोप लगाये गये थे, वे झूठे हैं ।

[(a) Yes.

(b) and (c). Enquiries made by the State Government reveal that there has been no leakage, and that the allegations were found to be false.]

श्री खुशवक्त राय : क्या मैं जान सकता हूं कि उत्तर प्रदेश विधान सभा में जन संघ के जो नेता हैं श्री यादवेन्द्र दुबे उन्होंने यह आरोप लगाया था और उन्होंने यह भी कहा था कि हम इसका सबूत देने के लिये तैयार हैं ?

प्रधान मंत्री तथा वैदेशिक कार्य मंत्री (श्री जवाहरलाल नेहरू) : जी हां । इसी के बाद तो उत्तर प्रदेश की सरकार ने जांच पड़ताल की और वह उस नतीजे पर पहुंची जोकि अभी पढ़ा गया है । उसमें शायद एक आरोप यह था, जहां तक मुझे याद है कि प्रधान मंत्री का कोई पत्र गया था । प्रधान मंत्री का अव्वल तो कोई खत ही नहीं गया था इस मजमून पर ।

Shri P. G. Deb: May I know whether a copy of the investigation report will be laid on the Table of the House?

Shri Jawaharlal Nehru: It is rather an extraordinary question. Certainly, it will not be. I have not seen it, nor am I likely to get it.

Recommendations of Wage Boards

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*1783. { **Shri K. N. Pandey:** / **Shri S. M. Banerjee:**

Will the Minister of **Labour and Employment** be pleased to state:

(a) the progress made so far with regard to the implementation of the recommendations of the Wage Boards for Textile and Cement industries in individual factories;

(b) whether any Tribunal has been established to decide the disputes arising in course of implementation of the recommendation of the Wage Board for textile industry; and

(c) whether any disputes have been reported to the Ministry of Labour with regard to the implementation of the recommendations of the Textile Wage Board which in the opinion of the Ministry are considered fit to be referred to some tribunal for decision?

The Deputy Minister of Labour (Shri Abid Ali): (a) Progress reports have been called for from State Governments. These are awaited.

(c) Not yet.

(c) No specific disputes for reference to a Tribunal have been received. A few complaints regarding delay in implementation have however been received. The State Governments have been requested to persuade the industry to expedite implementation.

Shri K. N. Pandey: Is it a fact that there is a great difficulty because there is no Act to see that these recommendations of the Wage Boards are implemented? If so, has this point been brought to the notice of the Central Government?

Shri Abid Ali: It is known, but we hope that these recommendations would be implemented because these are unanimous decisions and the representatives of the industry are committed to them.

Shri Aurobindo Ghosal: May I know if the employers of the Government Textile Mills, West Bengal, have already intimated through the Press that they are not in a position to implement the recommendations of the Wage Board?

Shri Abid Ali: No, Sir; we have not received such a complaint.

Shri K. N. Pandey: May I know whether it is a fact that the Labour Ministry has convened a conference of the millowners so that the implementation may be expedited as early as possible?

Shri Abid Ali: Yes, Sir, some of their representatives were contacted, and we hope that these recommendations would be implemented.

Shri B. K. Gaikwad: May I know how many individual textile mills and cement factories there are in India and the number of workers working there?

Mr. Speaker: That does not arise out of this.

Shri Abid Ali: There are more than 500 textile mills and the workers are in the neighbourhood of 9 lakhs.

Shri K. N. Pandey: May I know how much time the Labour Ministry is expected to take to get the recommendation implemented?

Shri Abid Ali: It should be implemented immediately.

Wage Board

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*1784. **Shri P. C. Borooah:**
Shri T. B. Vittal Rao:
Shri Sarju Pandey:

Will the Minister of **Labour and Employment** be pleased to state:

(a) the reasons for the delay in the constitution of Wage Board for Plantation industry; and

(b) whether any time limit is likely to be stipulated for the submission of the report?

The Deputy Minister of Labour (Shri Abid Ali): (a) Suggestions were received for re-considering the composition of the Wage Board recommended by the Industrial Committee on Plantations in October, 1959. Another meeting of the Committee was held yesterday to consider the matter. Action will be taken in the light of the decision arrived at.

(b). No.

Shri P. C. Borooah: May I know whether the tea industry has been separated from other plantation industries and a separate wage board is going to be formed for the tea industry?

Shri Abid Ali: Yes, Sir. Formerly, one wage board was to be appointed, but, according to the recent decision, three wage boards will be appointed: one for the tea industry, for both north and south, another for coffee and the third for rubber, but the chairman for all these three boards will be common and also the economist. The workers and employers will have their respective representatives on these boards.

Shri P. C. Borooah: Since the condition of tea industry varies from district to district, even apart from South India and North India, do the Government propose to form two separate wage boards one for the north and another for the south?

Shri Abid Ali: One wage board will be appointed. This matter was considered in detail by the representatives of the workers and the employers and this was the decision as I have just said.

Shri K. N. Pandey: Is it a fact that the workers are not in favour of getting this wage board because the recommendations of the wage boards are delayed and are not being implemented early?

Shri Abid Ali: On the other hand, the representatives of all the four trade union organisations are pressing for the appointment of a wage board for this and for some other industries as well.

Shri Muhammed Elias: At the 15th Labour Conference, it was decided that in all major industries, a wage board should be set up. May I know how long it will take to set up a wage board in the metal and engineering industries?

Shri Abid Ali: The information of the hon. Member is not correct. Such a recommendation was not made by that conference—that all major industries should have a wage board.

Shri Muhammed Elias: The metal and engineering industry is also a major industry.

Mr. Speaker: The hon. Minister says that no such recommendation was made, that in all industries, a wage board should be set up.

Shri Muhammed Elias: Not in all industries, but in all the major industries like the metal and engineering industry plantation, etc.

Shri Abid Ali: We have appointed some wage boards already and some others will be appointed very soon. After the receipt of the report and the implementation, the experience which will be gained will be useful and be available for other industries as well.

Shri Muhammed Elias: How long will it take?

Shri Abid Ali: As I said, there was no such recommendation for consideration.

Shri Aurobindo Ghosal: In view of the fact that the Government have recognised four central trade union organisations, may I know why the Government is not taking representatives from the four organisations in all the wage boards?

Shri Abid Ali: We have to appoint two representatives for the workers, and the organisations which have got following amongst the workers concerned will have representation on the boards. We do not pick up representatives according to our own choice and force the representatives on the workers.

Radio Frequencies

*1785. **Shri Raghunath Singh:** Will the Minister of **Information and Broadcasting** be pleased to state whether over-crowding of radio frequencies is affecting the external services of the All India Radio?

The Minister of Information and Broadcasting (Dr. Keskar): It is true that the overcrowding of the short-wave band of the spectrum is creating difficulties for our External Services as we are finding it difficult to have frequencies which are free from interference.

Shri Raghunath Singh: May I know what steps are being taken to make our short wave service more efficient for the foreign broadcasts?

Dr. Keskar: As indicated in the reply, the major reason for difficulties in our service is the congestion in the short wave band due to increasing demands by various countries and utilisation of even parts of the band to such an extent that every service impinges on the other. There is a possibility of improving partially this service, by better equipment, and to that extent we are trying our best we can. As far as the first point is concerned, the only way is for the International Tele-communication Union to find a solution to this congestion, and we are, as representatives in the Union, trying our best. But it is difficult to say as to what solution the Union will suggest.

Shri Tyagi: What is the total number of short wave frequencies allotted at present to India and has it been reduced lately?

Dr. Keskar: The hon. Member will remember that short wave frequencies allotted to India are not for broadcasting only. They are for various purposes including the Home Ministry and the Defence Ministry. Allocation is the province of the Ministry of Communication, and I personally have not got the figures for all the bands allotted to India.

Shri Tyagi: Has it not been reduced recently?

Dr. Keskar: There has been—I am subject to correction—a readjustment which probably has led to a slight reduction.

Shri D. C. Sharma: May I know when this problem was last discussed, at the meeting of the International Tele-communication Union and whe-

ther any decision was arrived at, at that time?

Dr. Keskar: The International Telecommunication Union held its meeting some months back. In the decisions arrived at, no particular solution of this congestion in the short wave band was arrived at. In fact there are some countries in the union who are proposing that this band should only be reserved for international broadcasting and should not be allowed for any kind of internal broadcasting in order to solve the issue though I am not sure whether that will solve the issue.

Shri Sadhan Gupta: May I know whether the International Tele-communication Union, in allocating short wave band keeps in view the possibility of interference of one band by another country and, if so, how does the interference occur in spite of the allocation?

Dr. Keskar: As regards interference, of course, when bands are very near to each other, only to such an extent, the slightest change is likely to interfere with the other service. Secondly, though the engineers and the technical advisers calculate the range and the power of the transmitters and the wave lengths to be used, even then the conditions are so uncertain that an unauthorised use of wave lengths is also carried on by certain countries and that also interferes.

Shri Hem Barua: May I know whether it is a fact that the spectrum table evolved in Chicago in 1947 is still substantially unchanged it is in favour of the bigger States and, if so, whether our Government consulted the International Tele-communication Union for a widening of the spectrum and the wave bands, and if so, with what results?

Dr. Keskar: I will not be able to answer questions about general allocation, as it is the province of the Ministry of Communication, and I myself am not aware of all the problems involved. I can only say that as far as broadcasts are concerned, that question has been raised by the broadcasting organisations of the various countries that in the range of tropical broadcasting, a change should take place so that the bigger countries who have allocated to themselves big chunks in the band will give it to the tropical countries, tropical countries in Asia, who have been deprived of it. There has not been, however, any decision which has led to any improvement in the position as it exists.

Shri Hem Barua: May I know whether there has been any jamming of our broadcasts, due to political reasons, that has affected the working of our external services?

Dr. Keskar: I would not say jamming, but we have had interference in certain of our broadcasts which has been difficult to locate the exact place —sometimes from the north-eastern part and sometimes from the north. We are not yet sure that it is really jamming. It is probably unauthorised utilisation of wave length which is very near ours that is probably causing interference.

Shri Hem Barua: May I know whether this unauthorised utilisation or jamming for political reasons has been brought to the notice of the International Tele-communication Union in Geneva?

Dr. Keskar: Such things are always brought at the annual meeting and they try to find a solution to this, and if the country can be located they bring it to the notice of the country concerned.

Export of Tea to Syria

***1787. Shri P. C. Borooah:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it is a fact that all imports of tea to Syria from Ceylon have been stopped;

(b) if so, whether Government have made any attempt to sell Indian tea to that country which has a good market for tea: and

(c) if so, the details thereof?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) Government have seen reports to this effect in the press.

(b) and (c). In pursuance of their general policy, the Tea Board are endeavouring to promote the sale of Indian tea to Syria. A member of the Tea Trade Delegation now touring Iraq and neighbouring countries is scheduled to visit Damascus shortly. An Indian exporter has reported that he has been successful in introducing blends of Indian tea in the Syrian market.

Shri P. C. Borooah: May I know if Government have any information about Syria's total annual requirements of tea and whether up till now Ceylon was the only exporter of tea to Syria?

Shri Satish Chandra: Syria imported about 3 million tons of tea every year from Ceylon.

Export of Tamarind and Chillies

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*1788. **Shri Agadi:**
Shri Sugandhi:
Shri Wodeyar:

Will the Minister **Commerce and Industry** be pleased to refer to the reply given to Starred Question No. 287 on the 22nd February, 1960 and state:

(a) whether the Government of Madras have requested the Central Government to restrict the export of tamarind and chillies to bring down the prices which have gone up by 400 per cent. and 300 per cent. respectively to previous ruling prices and affected the common public; and

(b) if so, what action has been taken?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) Yes, Sir.

(b) The Government of Madras have been informed that it is not considered advisable, due to the need for earning foreign exchange and in the long term interests of the foreign trade in these commodities, to bring about a change in the existing export policy for tamarind and chillies. It is felt that with the arrival of new crops the internal supply and price position would improve.

Shri Agadi: What is the annual production and consumption of these products in our country?

Shri Satish Chandra: The annual production of chillies in 1958-59 was estimated to be 3,32,000 tons. The production figures for tamarind are not available.

Shri Wodeyar: Has the Government considered the difficulties to which the common people would be put when large-scale exports are permitted? What is the direct result of the exports on the internal prices of these commodities?

Shri Satish Chandra: These questions are hypothetical, because when the prices go up in the country, exports are automatically stopped. In fact, in 1959, we exported less chillies and tamarind than in the previous year. So, the quantity has actually gone down and this year the exports are moving very slowly in view of high internal prices. They adjust themselves automatically.

Shri B. K. Gaikwad: May I know whether the Madras Government can ban export of chillies and if so, why have they requested the Central Government to do it?

Shri Satish Chandra: Banning of exports and imports is done by the Central Government. The Madras Government wrote a letter to the Ministry of Food and Agriculture and we thought that there was no case for banning the export.

Shri Sampath: Last year, when the hon. Minister was replying to a similar question, he said that about 3,000 to 4,000 tons per annum were exported, depending upon the level of

production and internal prices. But in view of the fact that the prices are 300 to 400 per cent. more than what was provailing last year, will Government consider stopping the exports completely?

Shri Satish Chandra: As I said, in 1959, only 1538 tons of chillies were exported as against 5143 tons in 1958. As regards tamarind, 5783 tons were exported in 1959 as against 7160 tons in 1958. So, the exports have fallen down in 1959 in both commodities as compared to 1958.

Shri Anthony Pillai: We have been told that the Madras Government have been advised that the crop is likely to be larger this year. But we have also been told that Government have no information about the amount of production of tamarind. May I know on what basis is this hope held out to the Madras Government that production is likely to increase this year and they need not worry?

Shri Satish Chandra: Exports have been taking place for a long time. As early as 1955, we exported more than 7,000 tons, in 1956 more than 6,000 tons and in 1957 about 7,500 tons. This difficulty has not been there before. In 1959, we exported less.

Shri Anthony Pillai: What is the basis for expecting a bumper crop this year?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): As far as chillies are concerned, the total production is 3,32,000 tons and the quantity of export is only 1538 tons. So, the actual export is negligible. As regards the prices of chillies and tamarind, I might inform the hon. Member that the price of chillies in Madras State which was ranging between Rs. 108 and Rs. 119 per maund during November and December, 1959 and also January 1960, has now come down to Rs. 73 early this month. Similarly the price of tamarind which ranged between Rs. 71 to Rs. 73 between October, 1959 and March 1960 has come down to Rs. 41 only. So, the prices have also gone down. I think the hon. Member should agree that we should continue to export chillies and tamarined. I do not think it will injure the health of hon. Members if they take a little quantity of that for some time.

Shri Wodeyar: What is the exact percentage of increase in prices of tamarind and chillies in 1959 compared to the prices in 1957 and why did the Government keep quiet till the situation deteriorated to such a large extent and prices have gone up abnormally affecting the poor people?

Shri Lal Bahadur Shastri: I had said just now that the prices had come down. Secondly, production has also decreased. We have always been laying stress on the production of these cash crops, because we can export a good deal of our cash crops. It is unfortunate that sufficient importance has not been attached to the production of cash crops. I have no doubt that along with increased production of food crops, we can simultaneously develop the production of our cash crops also.

Shri Narasimhan: Have Government taken into account the fact that there is large-scale illegal feeling of tamarind trees and it is likely to affect production.

Industrial Training Centre at Varanasi

*1789. **Shri D. C. Sharma:** Will the Minister of **Labour and Employment** be pleased to state:

(a) whether it is a fact that an Industrial Training Centre, a technical institution affiliated to Banaras Hindu University is being set up in the village of Karaundhi, Varanasi;

(b) whether it is also a fact that Central Government is giving aid to the University for this Centre;

(c) if so, the extent of the aid given; and

(d) when the Centre will start functioning?

The Parliamentary Secretary to the Minister of Labour and Employment and Planning (Shri L. N. Mishra): (a) and (d). No. The Industrial Training Centre attached to the Banaras Hindu University will be re-organised next year as a separate Training Institute with a full time Principal working directly under the Director of Training and Employment, Uttar Pradesh.

(b) and (c). No. The University will have no control over the new Institute.

Shri D. C. Sharma: May I know if Government will be setting up similar technical institutions all over the country and if so, what is the number now and what is the number going to be next year?

Shri L. N. Mishra: This is part of the second Five Year Plan for training institutes in crafts. More than 40,000 people are to be trained.

Shri D. C. Sharma: May I know in which States of India we have these institutes at present?

Shri L. N. Mishra: There are a number of institutions in every State. There are 2 central institutes for teachers and a number of institutes for training of students and craftsmen. I cannot give the names of all the places.

Shri D. C. Sharma: May I know in what subjects the training is imparted at these institutes?

Shri L. N. Mishra: In engineering, the number of trades is 27 and in non-engineering 20.

Shri Raghunath Singh: May I know the capacity for admission of students in this institution per year?

Shri L. N. Mishra: It was 144. Now it is being raised above 300.

रेयन से तैयार माल का निर्यात

*१७६१. **श्री सरजू पांडेय :** क्या वाणिज्य तथा उद्योग मंत्री १२ फरवरी, १९६० के तारांकित प्रश्न संख्या १०५ के उत्तर के संबंध में यह बताने की कृपा करेंगे कि रेयन से तैयार वस्तुओं के निर्यात के लिये एक निगम की स्थापना के संबंध में, जिस पर विचार किया जा रहा था, इस बीच क्या निर्णय किया गया है ?

वाणिज्य मंत्री (श्री कानूनगो) : प्रस्ताव अब भी विचाराधीन है ।

श्री सरजू पांडेय : पिछली दफा भी माननीय मंत्री जी ने यही जवाब दिया था । क्या मैं जान सकता हूं कि इस निगम की स्थापना के संबंध में इतनी देरी क्यों हो रही है ?

श्री कानूनगो : इस प्रस्ताव के द्वारा एक किस्म की एक्सपोर्ट और इम्पोर्ट मानापली बनने का सवाल है । इसमें एक्सचेंज और टैक्सशन का सवाल भी आता है । इस दृष्टि से इसकी छान बीन हो रही है । इस छान बीन के परिणाम पर ही यह निर्भर करेगा कि इस प्रस्ताव को लेना है या नहीं ।

Law of the Sea

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*1793. **Shri N. R. Muniswamy:**
Shri Raghunath Singh:

Will the **Prime Minister** be pleased to state what are the main decisions arrived at in the Geneva Conference on the Law of the Sea on the following items;

(i) how far beyond the shores of any country does the territorial sea extend, and

(ii) how far beyond this limit does the privilege of exclusive fishing extend?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): (i) & (ii). The conference failed to reach any decisions on the extent of the territorial sea and the contiguous fishing zone, as no proposal was supported by the requisite two-thirds majority.

Shri N. R. Muniswamy: Which are the countries which objected to the proposals of India, UK and USA?

Shrimati Lakshmi Menon: I have not got the names.

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): We have not got all the names. Perhaps, the House would like to know what the precise issues were. The main issues were as to whether the territorial seas should be 6 miles or 12 miles and on fishing rights whether it should be more or less. Up till now, the big maritime powers have wanted as small an area as possible so as to give rights to their ships to go as near the other countries as possible without any difficulty. The smaller countries, the newer countries, do not like this idea and want to preserve a larger area of territorial sea for themselves. Ultimately, the last year or two ago it was agreed by the other powers to extend the three mile limit to six miles. Even this was not considered enough by many of the smaller countries of Latin America, etc. Finally, a proposal made on behalf of the United States and Canada was a six-mile territorial limit plus a contiguous area of six miles for fishing rights. The House may remember that there was a very big dispute between a great maritime power like the United Kingdom and Iceland on fishing rights and even warships appeared on the scene. Now, broadly, speaking, we were of the opinion that the territorial area should be 12 miles. That is, the smaller countries should have a sense of security. But we were also anxious that some settlement should be arrived at, some kind of law of the seas. We are prepared even to agree to a smaller limit, but on one thing we were quite firm, and that is that any foreign warship coming into the coastal waters, territorial waters, should take the permission of the coastal State before it comes in. We felt that was important and to this importance was attached by the other countries too. This was not agreed to, and because this particular matter was not agreed to, we decided to vote against that resolution.

A proposal was made that they may merely notify that "we are coming", but that was not considered enough. Therefore, we voted against this proposal, and the proposal was just lost. It did not get the two-thirds majority. That is the position.

Shri N. R. Muniswamy: As regards the laws of the sea in between countries what is the decision arrived at?

Shri Jawaharlal Nehru: I am sorry, I am unable to understand the question.

Dr. Ram Subhag Singh: That is a different question.

Shri N. R. Muniswamy: Suppose round about the sea there are lands. What about the question of laws of the seas there?

Shri Jawaharlal Nehru: Between two contiguous countries naturally the six mile or 12 mile limit will overlap, or there may be small straits. Then there should be mutual arrangements.

Shri Raghunath Singh: May I know the reason why India opposed the proposal of UK?

Shri Jawaharlal Nehru: Considering that I have given a long answer just now, this is really a little frustrating experience for me.

Mr. Speaker: Next question.

Grant to Displaced Persons from Jammu and Kashmir

***1793-B. Shri Hem Barua:** Will the Minister of **Rehabilitation and Minority Affairs** be pleased to state:

(a) whether it is a fact that the Government of Jammu and Kashmir propose to distribute Rs. 50 lakhs amongst the Muslim refugees of that State; and

(b) if so, whether Government of India have made any contribution towards that fund to cover the whole or

part of the sum proposed to be distributed?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): (a) and (b). Lands, originally in possession of Muslims who migrated to Pakistan, have been allotted for settlement to about 21,000 families of Hindus and Sikhs who were obliged to migrate from the Pakistaon occupied areas of Jammu and Kashmir. Some of the Muslim families who went to Pakistan have already returned and others may return later. It has been decided not to disturb the Hindu and Sikh families who have been cultivating these lands, but to place a sum of Rs. 50 lakhs at the disposal of the Government of Jammu and Kashmir to render relief to the Muslim families who have returned or might return. A sum of Rs. 12·50 lakhs will be placed at the disposal of the State Government as a grant immediately and the balance if and when required.

Shri Hem Barua: May I know whether the attention of the Government is drawn to a statement made by the Prime Minister of Jammu and Kashmir on the *Id-ul-Fitr* day that he proposes to disburse Rs. 55 lakhs to the Muslim refugees of the State and, whether the Government have any knowledge of it? If so, what is the reaction of the Government to that proposal?

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): I have read a report of it in the press. The amount sanctioned was Rs. 50 lakhs.

Shri Hem Barua: When money is sanctioned to a particular State, may I know whether it is ear-marked like that on communal basis or it is sanctioned for all refugees irrespective of their religion?

Shri Mehr Chand Khanna: A remark about communal allotment is most unfortunate. The Muslims in that area who were tilling the land went to Pakistan. So, those lands have been allotted to the Hindus and Sikhas, who are now tilling them for ten years. These Muslims who come back are entitled to the restoration of the lands to them. But, in order not to disturb the Hindus and Sikhs, we are making alternative arrangements to make funds available to the State Governments so that these Muslim refugees may be rehabilitated. Because, they were the original tillers and so when they come back we should look into their rehabilitation as well.

Shri Hem Barua: What about the allotment of land? Apart from the allotment of land, in reply to my question the hon. Minister has stated that about Rs. 55 lakhs are proposed to be disbursed to the Muslim refugees of the State and the Chief Minister of that State has stated that Rs. 50 lakhs have been sanctioned for that. May I know why this amount has been sanctioned to the refugees on communal basis?

Mr. Speaker: He has answered it.

Shri Hem Barua: He has not answered it.

Mr. Speaker: He has answered it. If the hon. Member could not understand it, what can I do? He has stated that those Muslim refugees who have gone to Pakistan are now returning and their original lands have been occupied by the Hindus and Sikhs there. Therefore, some kind of distinction has to be made.

Shri Hem Barua: If some allotment of land is made, I can understand it. Now some money is being allotted to them.

Mr. Speaker: It is a compensation for that.

Shri Mehr Chand Khanna: May I clarify the position? Suppose a Muslim who has gone away to Pakistan comes back. He owns his six acres of land. The value of the land may be Rs. 1,500 to Rs. 2,000. Then he would be needing some bullocks, implements etc. Now, instead of restoring the original land them, we are giving, a sum of Rs. 2,500 to each family.

So, we are placing a sum at the disposal of the State Government either to provide land or to give some kind of rehabilitation benefit to them so that the Muslims who come back get rehabilitation within the State.

Shrimati Renu Chakravartty: In view of the fact that a very large number of Muslims have come back from Pakistan in the east and their lands, properties and houses are still in the possession of Hindu refugees, may I know whether this benefit will also be extended in the case of the east?

Shri Mehr Chand Khanna: The two questions are entirely separate. The number of Muslims who have come back, according to our estimates, is about 500 and not more than 2,000 are likely to come back. For that reason we have paid a sum of Rs. 50 lakhs, if and when required on the basis of Rs. 2,500 per family. East is entirely a separate matter. It does not concern the rehabilitation of the Muslims who come back from West Pakistan.

कर्मचारी राज्य बीमा योजना

*१७९४. **श्री पद्म देव :** क्या श्रम और रोजगार मंत्री यह बताने की कृपा करेंगे कि :

(क) हिमाचल प्रदेश के किन किन औद्योगिक केंद्रों में कर्मचारी राज्य बीमा योजना चालू की गई है ; और

(ख) यदि योजना अभी तक चालू नहीं की गई है, तो इसके क्या कारण हैं ?

श्रम और रोजगार तथा योजना मंत्री के संसदीय सचिव (श्री ल० ना० मिश्र) : (क) और (ख). मौजूदा प्रोग्राम के मुताबिक इस योजना के अन्दर वे केन्द्र आते हैं जहां बीमा कराने वालों की संख्या १५०० या उससे ज्यादा हो। हिमाचल प्रदेश में ऐसा कोई भी केन्द्र नहीं है, इसलिये वहां यह योजना अभी तक लागू नहीं हुई है।

[(a) and (b). According to present programme Centres having insurable population of 1500 and above are covered. As there is no such centre in Himachal Pradesh the Scheme has not yet been implemented in Himachal Pradesh].

श्री पद्म देव : माननीय मंत्री जी यह भली भांति जानते हैं कि पर्वतीय क्षेत्रों में तो इतनी बड़ी संख्या में कोई कनसर्न हो नहीं सकता, तो क्या वहां पर कर्मचारियों का बीमा होगा ही नहीं ?

श्री ल० ना० मिश्र : ऐसी बात नहीं है। हमारी योजना है कि तृतीय पंच-वर्षीय योजना में हम लोग घटा कर नम्बर लायेंगे और अन्दाज़ा है कि उस में हिमाचल प्रदेश के क्षेत्र आ जायेंगे।

Shri Muhammed Elias: In view of the small number of workers in Himachal Pradesh, it is very easy to include the families also in this scheme. May I know whether the families of the workers will be included in the scheme?

Shri L. N. Mishra: We are covering families in many other places also. Therefore the question of covering families only in Himachal Pradesh will not be any favour.

Shri Muhammed Ilias: Another places families have not been included

Shri L. N. Mishra: We have covered them in a number of places.

Shri Muhammed Elias: In West Bengal you have not been able to cover the families. Not a single family has been covered.

Mr. Speaker: He makes a suggestion.

श्री पद्म देव : हिमाचल प्रदेश में जो प्राईवेट कनसर्न हैं, क्या सरकार उन को भी इस ओर प्रेरित करेगी कि वे भी इस स्कीम को स्वीकार करें ?

श्री ल० ना० मिश्र : मैं समझा नहीं हूं।

श्री पद्म देव : मैंने यह निवेदन किया है कि .....

अध्यक्ष महोदय : अगर इस निवेदन को कोई समझ नहीं सकता है, तो दूसरी बात के निवेदन के लिए अवकाश देना चाहिए ।

Manufacture of Printing Machines

*1795. **Shri Aurobindo Ghosal:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether any foreign firm has been permitted to manufacture printing machines in India; and

(b) if so, where and what is the name of the firm?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). No such proposals have been received so far.

Shri Aurobindo Ghosal: Is the Government having any proposal for setting up any factory for manufacturing printing machines?

Shri Manubhai Shah: No. As far as the Government and the public sector are concerned, tnere is no proposal to manufacture printing machinery so far, but it is in the private sector. As I have already indicated in the answer, no concrete proposals have come but several approaches have been made to different private parties. We are also in the know of some of those activities.

Shri P. R. Patel: May I know the number of printing machines required in the country?

Shri Manubhai Shah: The number of printing machines are so versatile—we carried out a regular survey of it and we have also printed the results of the entire survey of the requirements of printing machinery—that it runs into hundreds of types of machines from small and medium to big machines. The cost of it comes to about Rs. 2½ crores per year.

Shri Palaniyandy: May I know if any private sector firm has applied to the Government to have a printing machinery factory installed in the south?

Shri Manubhai Shah: Actually, a firm in the South is manufacturing certain small rotaries. They have applied for it also. In principle we have accepted the scheme. Also, there are three or four factories making offset printing machines and lithographic printing machines. What we are here concerned with is the large-scale printing machinery for the newsprint industry and publishing houses.

Shri Sadhan Gupta: May I know whether any actual schemes for the manufacture of printing machines have been submitted to Government for approval? If so, how many such schemes have been submitted?

Shri Manubhai Shah: I have already covered all these points in answer to the main question and in the supplementaries also.

All India Handloom Board

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*1796. { **Shri Sampath:** / **Shri Tangamani:**

Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether there is a proposal to shift the Headquarters of the office of the All India Handloom Board from Bombay city to Madras city; and

(b) if so, from which date?

The Minister of Commerce (Shri Kanungo): (a) and (b). A proposal that the headquarters of the All India Handloom Board may be located in Madras has been received and is under examination. The proposal was received from an organisation.

Shri B. K. Gaikwad: What is the reason for shifting the office from Bombay to Madras? Since when was it situated in Bombay?

Shri Kanungo: There is no question of shifting. A proposal has been received. That is all.

Shrimati Renuka Ray: For the headquarters of these kinds of Boards, I thought, the principle was that they should be in Delhi.

An hon. Member: In Delhi there is no handloom.

Shrimati Renuka Ray: If it is in a place like Bombay or Madras, then it means only one side of the country... (*Interruption*). Is there any proposal for having it in Delhi?

Shri Kanungo: No.

Shri Ranga: From whom has this proposal come? Has the Handloom Board been consulted? Is it not a fact that more than one-third of the total handlooms and more than half the handlooms in the co-operative field happen to be plied in the South?

Shri Kanungo: We will consult the Handloom Board, no doubt. But the question of numerical strength and all that is not very important because the organisation is strong in the South and the organisation of handlooms in the North is weak.

Shri Raghunath Singh: No. In Benaras you have got 30,000 handlooms.

Shri C. R. Pattabhi Raman: In view of the fact that the vast majority of weavers and workers are in the South, would the Government consider the feasibility to advise the Board to shift its office there?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): It is more convenient to have the headquarters at Bombay because the Textile Commissioner, who is the Chairman of the Handloom Board, has his headquarters at Bombay. Secondly, we have opened the handloom export organisation. The centre of the export organisation is in Madras. Besides that, we have also a sub-office of the Handloom Board in Madras. I do not think that we can take any further steps in that regard.

Mr. Speaker: Next Question. Shri M. L. Dwivedi—Absent. Next Question. Shri Madhusudan Rao—Absent.

Shri Madhusudan Rao: I am here, Sir.

Mr. Speaker: Is he here? Why has he changed his seat? Has he been allotted that place?

Shri Madhusudan Rao: Question No. 1798.

Mr. Speaker: I am not going to call that. Hon. Members must be in their seats. If they go on shifting, how can I recognise them to be so-and-so and call them? I will allow it as an exception today.

Telugu Programme from A.I.R., Madras

*1798. **Shri Madhusudan Rao:** Will the Minister of **Information and Broadcasting** be pleased to state:

(a) whether it is a fact that the broadcasting of Telugu programme from Madras Station of A.I.R. is being gradually discontinued; and

(b) if so, the reasons therefor?

The Minister of Information and Broadcasting (Dr. Keskar): (a) and (b). Since the installation of a short-wave transmitter at Hyderabad the bulk of Telugu programme are broadcast from Hyderabad and Vijawada stations and the need for Telugu programmes from Madras is consequently less. However Madras Station also puts out programmes in Telugu and will continue to do so.

श्री मधुसूदन राव : क्या माननीय मंत्री जी यह बताने की कृपा करेंगे कि मद्रास में तेलुगू में बात करने वाले जो हैं, उन्होंने जो मांग की थी कि वहां पर वे काफी ज्यादा लोग हैं और तेलुगू प्रोग्राम जो मद्रास स्टेशन से प्रसारित नहीं किया जाता है, वह अन्याय किया गया है, उस दरख्वास्त पर क्या विचार किया गया है ?

सूचना और प्रसारण मंत्री (डा० केसकर): मेरे पास एक दरख्वास्त आई है कि मद्रास स्टेशन से जो स्कूल ब्राडकास्ट होते थे, उस को मद्रास स्टेशन ने फिर से जारी कराया जाये । माननीय सदस्य को मालूम है कि स्कूल ब्राडकास्ट स्टेट गवर्नमेंट के हेडक्वार्टर से ही होता है, क्योंकि उस में स्टेट की शिक्षा प्रणाली और उस के डायरेक्टर आफ़ पब्लिक इंस्ट्रक्शन से हम को सम्पर्क रखना पड़ता है और उनके करिकूलम के अनुसार ही हम स्कूल प्रोग्राम चला सकते हैं, इस लिए मद्रास से पहले जो तेलुगू में स्कूल प्रोग्राम होता था, उसको हैदराबाद हटाना पड़ा है । मद्रास शहर में जो बाकी बचे हैं, तेलुगू जानने वाले और तेलुगू पढ़ने वाले, उन के लिए उसी पैमाने पर प्रोग्राम नहीं हो सकते हैं जो कि सारे तेलुगू एरिया के लिये पहले मद्रास से हुआ करते थे ।

Shri Venkatasubbaiah: May I know whether there is a large population of Telugu-speaking people scattered especially in the Madras State, and also whether the medium of instruction is Telugu in so many places, and if so, whether with a view to safeguard the cultural interests of the linguistic minorities, Government are going to revive the original programme of broadcasting in Telugu?

Dr. Keskar: The hon. Member's question has not realised the answer that I gave. The point is that we cannot have specialised programme of the type of school programmes, which have to be based on the curriculum of the State, for every linguistic Minority in all the States; that would become practically impossible. We have to broadcast it from the headquarters of the State. Otherwise, Telugu programmes of a cultural character, including children's programme and women's programme, are still continuing in the Madras station.

डा० मधुसूदन राव : स्टेट का रिआर्गेनाइजेशन होने से पहले उनको एग्रीमेंट में, जो प्रधानता दी गई थी, तेलुगू पीपल को जो आश्वासन दिये गए थ, यह उनका भंग होना नहीं है क्या ?

डा० केसकर : जी नहीं । जहां तक रेडियो का सम्बन्ध है जो तलुगू प्रोग्राम होते थे वे मद्रास स्टेट के जो तलु प्रदेश थे, उन के लिए मुख्यत: हुआ करते थे और जो तेलुगू बोलने वाले मद्रास स्टेट में बचे हैं, उन के लिए वे सब प्रोग्राम चल सकते हैं, ऐसा होना सम्भव नहीं है । लेकिन अधिकांश तेलुगू प्रोग्राम अब भी चल रहे हैं ।

WRITTEN ANSWERS TO QUESTIONS

Hosiery Needles

*1782-A. **Shri Ajit Singh Sarhadi:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether there has been any restrictions in the import policy of hosiery needles;

(b) whether it is a fact that the import quota of Hosiery Needles has been reduced to 6¼ per cent. (half yearly) giving rise to the prices of needles affecting the hosiery industries;

(c) if so, whether the total import for the Needles under O.G.L. was not more than Rs. 11 lakhs whereas now the import licences of the neighbourhood of Rs. 25 lakhs have been issued to the National Small Industries Corporation Limited for the same purpose; and

(d) whether it is a fact that any guarantee had been given by the importers that if they were given licence to the extent of Rs. 5—7 lakhs this would satisfy the necessity of the hosiery needles?

The Minister of Commerce (Shri Kanungo): (a) to (d). The Import policy of Hosiery Needles to Established Importers has been gradually reduced, and the current policy is nil. Instead, import of Hosiery Needles has been canalised through the National Small Industries Corporation to meet the requirements of actual users. The change in the policy was due to the fact that hosiery needles were not available to actual users at reasonable prices. Figures of import of hosiery needles when it was under O.G.L. are not available. However, the value of licences granted to the National Small Industries Corporation during the October, 1959—March, 1960 period amounts to 9·38 lakhs rupees which is well within the range licenced during earlier periods since July—December, 1953. Government have no information about the alleged guarantee given by the Importers that if they were given licence to the extent of Rs. 5 to 7 lakhs, it would satisfy the necessity of the hosiery needles.

Manufacture of Newsprint

*1786. **Shri Rami Reddy:**
Shri T. B. Vittal Rao:

Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Starred Question No. 1028 on the 22nd March, 1960 and state:

(a) whether the report of the German expert on the economic feasibility of new process for the manufacture of newsprint from bagasse has since been studied and what is the decision of Government in the matter;

(b) whether Government has received an offer from Japan to study the possibilities of manufacturing newsprint from sugar-cane bagasse; and

(c) the action taken thereon?

The Minister of Industry (Shri Manubhai Shah): (a) to (c). A statement is laid on the Table of the House.

STATEMENT

While large scale trials are being carried out after all consideration as the new process is still in a very uncertain stage, Government have decided that the Andhra Government should be allowed to go ahead with the establishment of a paper factory based on bagasse from the sugar factory at Shakarnagar. Andhra Government have been informed accordingly. Andhra Government had also made such a suggestion sometime back and Government of India have now agreed to that suggestion as above.

Equipment from U.S.A. for Food Processing and Canning Industries

*1790. **Shri Achar:** Will the Minister of **Commerce and Industry** be pleased to lay a statement showing:

(a) whether the Export and Import Bank of the U.S.A. has offered any financial assistance for importing equipment for food processing canning industries etc;

(b) if so, the details thereof; and

(c) the conditions for getting the assistance?

The Minister of Industry (Shri Manubhai Shah): (a) to (c). No special financial assistance for importing equipment for the industries under reference has been offered by the U.S. Eximbank. The authorities of that Bank have, however, recently agreed that imports in connection with these industries could also be financed from the EXIMBANK Loan extended to the Government of India in 1958.

Exports to U.S.A.

*1792. **Shri Khimji:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) the steps that have been taken recently to develop Indian exports to the U.S.A.; and

(b) whether there is any proposal to send a composite Trade Delegation to explore the markets in a concerted manner?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) A statement showing steps recently taken for expansion of our exports to U.S.A. is placed on the Table of the House.

STATEMENT

(i) Discussions with various officers of the Government of the U.S.A. and/or the U.S. Embassy in New Delhi on matters of mutual interest and for removal of difficulties in the way of greater flow of trade between the two countries;

(ii) Encouraging contacts between Indian traders and their counterparts in the U.S.A. by inviting U.S. delegations and/or by visits of Indian delegations of businessmen to the U.S.A.—recently four U.S. Trade Missions have visited India since November, 1958 and a number of Indian delegations have visited the U.S.A. such as for Coir, Mineral Ores, Engineering goods, Jute, Handlooms etc.

(iii) Indian participation in exhibitions in the U.S.A. and participation of U.S. businessmen in exhibitions in India;

(iv) Participation in publicity programmes in the U.S.A. in respect of Tea, Spices, Jute, Mica, Shellac etc. by the Export Promotion Councils and/or Commodity Boards; and

(v) Specific deal with the U.S.A. for additional exports of Manganese ore, Ferro-manganese etc. against imports of some commodities.

(b) None at present.

Industrial Development of Andhra Pradesh

*1793-A. **Shri M. V. Krishna Rao:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether the Government of India have received the resolutions unanimously passed by the Andhra Pradesh Legislative Assembly in March, 1960 regarding the industrial development in Andhra Pradesh; and

(b) if so, the action taken thereon?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). A statement giving the information is laid on the Table of the House.

STATEMENT

A copy of the Resolution has been received by this Ministry and the Planning Commission urging the Government of India to set up some large industrial units in the State during the Third Five Year Plan. The request of Andhra Pradesh State Government along with such requests from other States will, no doubt, be borne in mind while finalising the Third Five Year Plan which is in a formative stage.

मोटर परिवहन कर्मचारियों के लिये एकसा कानून

*१७९७. **श्री म० ला० द्विवेदी :** क्या श्रम और रोजगार मंत्री यह बताने की कृपा करेंगे कि :

(क) मोटर परिवहन कर्मचारियों के लिये सरकार जो एकसा कानून बनाना चाहती है, उसके संबंध में अब तक क्या प्रगति हुई है ; और

(ख) क्या इस प्रश्न पर राज्य सरकारों की राय प्राप्त हो गई है ?

श्रम उपमंत्री (श्री आबिद अली) : (क) एक बिल इस सदन में पेश किया जा रहा है।

(ख) कानून बनाने के प्रस्ताव राज्य सरकारों को १९५६ में भेजे गये थे और बिल तैयार करने से पहले उनके विचारों को ध्यान में रख लिया गया था।

Gendalal Mills, Jalgaon

***1798-A. Shri Naushir Bharucha:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether the Somani Committee appointed to make investigations into the closure of the M|s. Gendalal Mills, Ltd., Jalgaon, M|s. Chhaganlal Textile Mills, Chalisgaon has submitted its report;

(b) what are the main findings in the Report with regard to the causes of closure of the Gendalal Mills at Jalgaon and the closure of a shift in the Chhaganlal Mills at Chalisgaon;

(c) the action, if any, taken by Government on the said report; and

(d) whether Government will lay the Report on the Table?

The Minister of Commerce (Shri Kanungo): (a) to (d). A note giving the required information is laid on the Table of the House.

STATEMENT

(a) Yes, Sir.

(b) to (d). The report of the Investigation Committee is a confidential document and it will not, therefore, be in public interest to lay it on the Table of the House. The report revealed that the closure of Gendalal Mills and the Second shift of the Chhaganlal Mills were caused by financial difficulties.

In the case of Gendalal Mills due to the fact that the Mill was remaining closed since 1954 and also that the machinery we very old and dilapidated the Investigation Committee had recommended scrapping of this unit. Moreover, this Mill is under liquidation and there is nothing that Government can do to revive this Mill.

The second shift in the Chhaganlal Textile Mills resumed working from 7th October, 1959. The Investigation Committee had recommended certain concessions to this Mill under the Provisions of Provident Fund Act. But, on further examination, it was found that the Mill was not really eligible for any concession.

Minorities in Sylhet

***1799. Shri P. G. Deb:**
Shri Arjun Singh Bhadauria:

Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that there is forcible occupation of houses of minorities in Sylhet;

(b) if so, the reactions of Government thereto; and

(c) the steps taken by Government to avert such hardship in Pakistan?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) Only one such case in Sylhet came to our notice in 1959. We were informed that the ancestral house of one Shri S. B. Dev was forcibly occupied.

(b) and (c). Our Deputy High Commissioner, Dacca immediately took up the matter with the Government of East Pakistan, but in spite of several reminders they have not given a reply.

Under the Prime Minister's Agreement of 1950 ownership of all immovable properties in the Eastern Zone remains vested in the migrant even if he should not return. The Government of India invariably bring to the notice of the Government of East Pakistan, cases of violation of the Prime Ministers' Agreement in this respect. This is the only Agreement under which we can take any action in such matters.

Government Houses for Heads of Political Parties

*1800. **Shri Assar:**
Shri P. G. Deb:
Shri Braj Raj Singh:

Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) whether the Union Ministry has evolved a new formula in allotting Government accommodation to the Heads of recognised All India Political Parties; and

(b) if so, the names of such parties who have availed of such offer till now?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) and (b). The President of the Indian National Congress has been allotted a Bunglow in New Delhi on an *ad hoc* basis. It has also been decided that, if and when, similar requests are made on behalf of Presidents of other political parties claiming to be national parties they should be considered on merits.

Production of Magnesium

***1801. Shri Narasimhan:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) the steps that are being taken or proposed to be taken to produce magnesium in the public or private sector from the magnesite ores available in the country; and

(b) the extent of magnesium imported at present?

The Minister of Industry (Shri Manubhai Shah): (a) Thre is no proposal to manufacture magnesium in the public or private sector at present.

(b) 96170 lbs. valued at Rs. 1,57,425 was imported during 1959.

दिल्ली हिन्दुस्तान स्टैंडर्ड

*१८०१-क श्री वारियर :
श्री स० मो० बनर्जी :

क्या श्रम और रोजगार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या उन्हें दिल्ली हिन्दुस्तान स्टैंडर्ड के कर्मचारी संघ से एक अभ्यावेदन प्राप्त हुआ है जिसमें यह कहा गया है कि दिल्ली हिन्दुस्तान स्टैंडर्ड बाहरी तौर से तो एक नई स्थापित कम्पनी द्वारा चलाया बताया जाता है किन्तु वास्तव में वह और कलकत्ता हिन्दुस्तान स्टैंडर्ड दोनों एक ही हैं और कलकत्ता के ही प्रबन्धक इसका भी संचालन करते हैं ;

(ख) क्या दिल्ली हिन्दुस्तान स्टैंडर्ड के कर्मचारी संघ ने अपने कथन के समर्थन में प्रमाण भी दिये हैं ;

(ग) यदि हां, तो उन्होंने क्या प्रमाण दिये हैं ; और

(घ) सरकार द्वारा मामले में क्या कार्रवाई की गई है ?

श्रम उपमंत्री (श्री आबिद अली) : (क) जी हां ।

(ख) से (घ) संघ ने कुछ आरोप लगाये थे । मामला प्रबन्ध के साथ उठाया गया था । उन्होंने आरोपों को अस्वीकार किया है ।

Sitaram Spinning and Weaving Mills, Trichur

*1802. **Shri Kodiyan:**
Shri Warior:
Shrimati Parvathi Krishnan:
Shri Parulekar:

Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether Government have received any representation from the Kerala State Government regarding

the reconstruction of the Sitaram Spinning and Weaving Mills, Trichur; and

(b) if so, the reactions of Government thereto?

The Minister of Commerce (Shri Kanungo): (a) Yes, Sir.

(b) The Central Government have assured all possible assistance in the matter.

Flats in Indra Market at Delhi

*1802-A. **Shri Arjun Singh Bhadauria**: Will the Minister of **Rehabilitation and Minority Affairs** be pleased to refer to the reply given to Starred Question No. 27 on the 9th February, 1960 and state:

(a) whether three roomed flats in Indra Market, Delhi valued at Rs. 13,000 have been auctioned;

(b) what was the price charged in auction on the 17th April, 1960 of two-roomed flats Nos. 5R and 25R;

(c) why the three roomed flats have not yet been auctioned; and

(d) whether the two roomed flats are allotable now?

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): (a) No.

(b) 5R Rs. 28,300
25R Rs. 27,500.

(c) The matter is still under consideration.

(d) Only eight out of twenty four two-roomed flats are allotable because the net cost is less than Rs. 10,000 after allowing rebate for half end walls.

Death of a Labourer at Janpath

*1802-AA. **Shri S. M. Banerjee:**
Shri P. L. Barupal:

Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) whether a worker died on 17th April, 1960 at Janpath as a result of falling of earth when he was engaged in his work;

(b) whether two more workers were seriously injured;

(c) whether any enquiry has been made; and

(d) if so, the causes leading to this accident?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) to (c). The answer is in the affirmative.

(d) It has been reported that in the process of removing the Surplus earth at the site of the new National Museum Building on Janpath a mass of earth about 75 cft. in volume from a partly dismantled mound slipped and fell on the workers and resulted in the unfortunate casualties.

Enquiry into M.S.K. Mills

*1802-B. **Shri D. A. Katti:**
Shri Sugandhi:
Shri Dige:
Shri K. U. Parmar:

Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether any committee was appointed to enquire into the functioning of the M.S.K. Mills Ltd., Gulburga in Mysore State;

(b) if so, whether any report has been submitted; and

(c) what are its findings?

The Minister of Commerce (Shri Kanungo): (a) and (b). Yes, Sir.

(c) The report of the Investigation Committee is a confidential document and hence it will not be in public interest to disclose the findings of the Committee.

Displaced Institutions of Punjab

*1803. **Shri Ram Krishan Gupta:** Will the Minister of **Rehabilitation and Minority Affairs** be pleased to

refer to the reply given to Unstarred Question No. 1706 on the 18th December, 1959 and state:

(a) whether Government have since examined the allotment of evacuee agricultural land to the remaining cultural and religious institutions in Punjab which have not started functioning as yet; and

(b) if so, the action taken in this regard?

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): (a) and (b). The examination is still not complete. However, as a result of the review undertaken, it has come to notice that the number of the institutions which were allotted evacuee agricultural land in Punjab was more than 235 already reported. Out of 208 cases which have been reviewed so far, allotments of 176 institutions, which were not functioning, have been cancelled. Final decision will be taken after the review has been completed.

Weavers' Co-operative Societies in Orissa

***1804. Shri Chintamoni Panigrahi:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether Government had sanctioned construction of colonies for Weavers' Co-operatives in Orissa;

(b) whether it is a fact that the construction of the Weavers' Co-operative Housing Colony proposed to be built under this scheme at Sanapadar in Puri District in Orissa has been stopped; and

(c) if not, when the colony is expected to be completed?

The Minister of Commerce (Shri Kanungo): (a) Yes, Sir.

(b) and (c). The State Government has reported that the housing colony at Sanapadar in Puri District was not proceeded with, pending some enquiries. The State Government are now considering whether a housing colony may be allotted to the Sanapadar Weavers' Co-operative Society.

European Free Trade Association

***1805. Shri Raghunath Singh:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether India has agreed to waive her right to imperial preference in relation to the members of European Free Trade Association; and

(b) if so, what will be its effect on India?

The Minister of Commerce (Shri Kanungo): (a) India has consented subject to certain safeguards and reservations to the elimination in stages of Tariff preference provided under the Indo-U.K. Trade Agreement, 1939, for Indian goods in the United Kingdom market *vis-a-vis* imports into the U.K. of products of the member-countries of the European Free Trade Association.

(b) This is not likely to have an adverse effect on our exports to the U.K. The exact position is however proposed to be kept under close review.

फलों का निर्यात

***१८०६. श्री पद्म देव :** क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) वर्ष १९५९ में भारत से कितनी मात्रा में और कितने मूल्य के फल निर्यात किये गये ;

(ख) १९५८ की तुलना में निर्यात की स्थिति क्या रही ; और

(ग) फलों का निर्यात बढ़ाने के लिये सरकार क्या उपाय कर रही हैं ?

वाणिज्य तथा उद्योग उपमंत्री (श्री सतीश चन्द्र) : (क) १९५९ में ८,६७८

टन ताजा तथा सूखे फल, जिनका मूल्य ५२ लाख रुपये है, निर्यात किये गये ।

(ख) १९५८ में निर्यात किये गये फलों का मूल्य लगभग ५० लाख रुपये था ।

(ग) ताजे फलों के परिवहन के लिये शीतागार संबंधी सुविधाओं की व्यवस्था करने का प्रश्न समुचित अधिकारियों के समक्ष उठाया गया है ।

Planning Forums

***1807. Shri P. C. Borooah:** Will the Minister of **Planning** be pleased to state:

(a) whether it is a fact that Planning Commission have advised the Universities to open Planning Forums;

(b) if so, how many Universities have opened such Forums; and

(c) the result thereof?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) Yes, Sir.

(b) At the end of February, 1960, there were 374 Planning Forums functioning in the Universities and Colleges.

(c) The Planning Forums have tried to develop plan consciousness among the university teachers and students and the people in the areas around them. They have organised seminars, lectures, exhibitions, and group discussions on planning, besides engaging themselves in socio-economic surveys of villages, stepping up small savings drive, organisation of social service camps, running of literacy classes, participation in the slum clearance and other constructive work. The enthusiastic celebration of National Plan day by the Forums has been one of the highlights of their activities, which has attracted wide attention. Adoption of a village by each Planning Forum is another important item in the Forums' programme which has yet to develop on a large enough scale. Collectively, the Forums have discussed the Second Five Year Plan and approach to the Third Five Year Plan in the Regional and All-India Conferences, and made valuable contributions on these subjects.

Newsprint Factory at Bodhan

***1808. Shri Madhusudan Rao:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it is a fact that the proposed newsprint factory at Bodhan is going to be given to the private sector instead of public sector; and

(b) if so, the reason therefor?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). A statement is laid on the Table of the House.

STATEMENT

While large scale trials are being carried out after all consideration as the new process is still in a very uncertain stage, Government have decided that the Andhra Government should be allowed to go ahead with the establishment of a paper factory based on bagasse from the sugar factory at Shakarnagar. Andhra Government have been informed accordingly. Andhra Government had also made such a suggestion sometime back and Government of India have now agreed to that suggestion as above.

Explosion at Deogarh

***1808-A. Shri P. K. Deo:** Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) whether three persons were instantaneously killed and nine persons injured as a result of explosion at Deogarh, Sambalpur District, Orissa on the 8th April, 1960; and

(b) if so, what was the cause of the explosion?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) The explosion occurred in a labour camp at village Govindpur about a mile from Deogarh on the 7th April, 1960, in which twelve persons died and one person was injured.

(b) A Magisterial enquiry into the causes of the explosion as envisaged in section 9 of the Indian Explosives Act, 1884, has been ordered. The enquiry has not yet been completed. The report of the enquiry officer is awaited to determine the cause of the explosion.

Indo-Pakistan Border

*1809. **Shri D. C. Sharma:**
Shri P. C. Borooah:

Will the **Prime Minister** be pleased to state:

(a) the progress made so far in the demarcation of the disputed territories of Chak, Ladheke and Rakhhardsingh villages;

(b) the probable date when the work is likely to be completed; and

(c) the amount ncurred so far on this work?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) Boundary pillars have been constructed in these areas. Subsequent processes, such as final traverse, mapping, etc., remain to be completed.

(b) Government have no precise information as to the likely date.

(c) Accurate figures can be compiled only after completion of demarcation work in the Punjab (India)—West Pakistan sector.

दिल्ली में डाक्टरों के दवाखान

*१८०९-क. श्री अर्जुन सिंह भदौरिया :
श्री प्र० गं० देव :
श्री से० अ० मेहदी :
श्री प्र० चं० बरूआ :

क्या श्रम और रोजगार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि दिल्ली में रविवार को डाक्टरों के दवाखाने बन्द रहने रहने से जनता को बड़ी कठिनाई हो रही है ; और

(ख) यदि हां, तो जनता की कठिनाई को दूर करने के लिये क्या कारंवाई की गई है ?

श्रम उपमंत्री (श्री आबिद अली) : (क) ऐसी कोई शिकायत प्राप्त नहीं हुई है ।

(ख) प्रश्न नहीं उठता ।

Wage Board for Jute Industry

*1810. **Shri T. B. Vittal Rao:**
Shri Nagi Reddy:
Shri P. C. Borooah:
Shri Sarju Pandey:

Will the Minister of **Labour and Employment** be pleased to state:

(a) whether the verification of the membership of the unions affiliated to the Central Trade Union Organisations has since been completed;

(b) if so, when the wage board for jute industry will be constituted; and

(c) whether the terms of reference have been finalised?

The Deputy Minister of Labour (Shri Abid Ali): (a) Yes, provisionally.

(b) The Wage Board is expected to be set up shortly.

(c) Yes.

Western India Race Club

*1810-A. **Shri P. G. Deb:**
Shri Arjun Singh Bhadauria:
Shri P. C. Borooah:

Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it is a fact that the Western India Race Club is trying to purchase some Pakistani race horses from some South African residents of Pakistan; and

(b) if so, the reasons because of which it is being allowed?

The Minister of Commerce (Shri Kanungo): (a) Government have no information; nor has any application been received from the club for import licence.

(b) Does not arise.

Exhibition of News Reels and Documentaries in Kashmir

***1810-B. Shri Hem Barua:** Will the Minister of **Information and Broadcasting** be pleased to state:

(a) whether it is a fact that Government propose to discontinue the exhibition of news reels and documentaries produced in the Kashmiri Language in the State of Jammu and Kashmir; and

(b) if so, the reasons therefor?

The Minister of Information and Broadcasting (Dr. B. V. Keskar): (a) and (b). Yes, Sir. At the instance of the State Government it has been decided to dub the films for exhibition in Jammu and Kashmir in simple Urdu which is the official Language of the State.

Film Institute

*1811. **Shri Ram Krishan Gupta:**
Shri D. C. Sharma:
Shri Rameshwar Tantia:
Shri P. G. Deb:
Dr. Ram Subhag Singh:
Shri P. C. Borooah:
Shri Achar:
Shri Aurobindo Ghosal:

Will the Minister of **Information and Broadcasting** be pleased to refer to the reply given to Starred Question No. 9 on the 16th November, 1959 and state:

(a) the further steps taken so far in setting up the Film Institute; and

(b) when it will start functioning?

The Minister of Information and Broadcasting (Dr. Keskar): (a) and (b). The Prabhat Studio in Poona has been purchased by Government for housing the Film Institute. The Institute will start functioning as soon as the recruitment of the staff has been made. The details are at present being worked out.

कार्यालयों को शिमला से जाना

*१८१२. **श्री पद्म देव :** क्या **निर्माण, आवास और संभरण** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि हाल ही में जो कार्यालय शिमला ले जाये गये है, उनके कर्मचारियों को मकान ढूंढने में बड़ी कठिनाई का सामना करना पड़ रहा है ; और

(ख) यदि हां, तो इस संबंध में सरकार क्या पग उठा रही है ?

निर्माण, आवास और संभरण उपमंत्री (श्री अनिल फेा० चन्दा) : (क) नहीं।

(ख) प्रश्न ही नहीं उठता।

Praga Machine Tools Corp., Hyderabad

*1813. **Shri Madhusudan Rao:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it is a fact that the Central Government have agreed to invest 3 to 4 crores of rupees in Praga Machine Tools Corporation at Hyderabad; and

(b) if so, the particulars of the expansion programme?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). A statement is laid on the Table of the House. [*See* Appendix IV, annexure No. 95.]

Education of Tibetan Refugees

*1814. **Shri P. C. Borooah:** Will the **Prime Minister** be pleased to state:

(a) whether the Union Government have decided to make certain arrangements for the education of Tibetan refugees; and

(b) if so, the details thereof?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) and (b). There are three schools for Tibetan refugees children at Gangtok, Mussoorie and Kalimpong. The school at Mussoorie may shift to Dharamsala. A review has been undertaken to assess the educational needs of the entire Tibetan refugee population with a view to expanding the existing facilities. Hindi is now taught to adult refugees at the various Camps—Missamari, Dalhousie and Buxa.

Boycott of Ships Carrying Trade with Goa

*1814-A. **Shri Raghunath Singh:** Will the **Prime Minister** be pleased to state whether the All India Port & Dock Workers' Federation have decided to re-impose the line-wise boycott of ships carrying on trade with Goa from the 1st May, 1960?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): A report has appeared in the Press that the All India Port & Dock Workers' Federation have decided to re-impose the boycott from the 1st of May, 1960. However, the Government have had no official confirmation of the decision so far.

Anti-Indian Propaganda from Britain on Kashmir Issue

*1814-B. **Shri P. G. Deb:**
Shri Arjun Singh Bhadauria:
Shri S. A. Mehdi:
Shri A. M. Tariq:

Will the **Prime Minister** be pleased to state:

(a) whether Government are aware that an Anti-Indian Society in London is publishing material and books about Kashmir;

(b) whether it is a fact that such material is widely circulated in New Delhi and Srinagar; and

(c) if so, the reactions of Government thereto?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): (a) to (c). The Government are aware that some Pakistanis in the United Kingdom have organised a Kashmir Plebiscite Front. They held a meeting in Birmingham on February 21, 1960. The Government are also aware that this group of Pakistanis have brought out a pamphlet about the defence of Sheikh Abdullah. Copies of this pamphlet are reported to have been received by some news papers in Delhi and perhaps in other parts of India. It is a propagandist pamphlet, and as such, bears little relation to facts.

Indo-Pak. Border

2782. **Shri Amjad Ali:** Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that the District Magistrate of Dinajpur in East Pakistan and the Deputy Com-

missioner of Jalpaiguri in West Bengal met at a conference on the 24th December, 1959 and discussed the border problems; and

(b) whether there has been any improvement in the border problems as a result of the conference?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) A meeting was held between the Deputy Commissioner Jalpaiguri and the District Magistrate, Dinajpur (East Pakistan) on the 22nd December, 1959.

(b) This was one of the monthly meetings of District Officers and Superintendents of Police in the Eastern Zone which are held in pursuance of agreed decisions taken at the Indo-Pakistan Minister-level Conference of October, 1959 to discuss common border problems. Such meetings do contribute to the maintenance of peaceful conditions on the border and also in bringing about improvement in the border situation.

Transfer of Civic Services to D.M.C.

2783. **Shri D. C. Sharma:**
Shri Daljit Singh:

Will the Minister of **Rehabilitation and Minority Affairs** be pleased to refer to the reply given to the Unstarred Question No. 1037 on the 7th December, 1959 and state the up-to-date position in regard to the transfer to the Delhi Municipal Corporation of civic services in respect of markets and shopping centres constructed in Delhi by the Central Government for displaced persons?

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): A statement is laid on the Table of the Sabha. [*See* Appendix IV, annexure No. 96.]

Sago Industry

2784. Shri Narasimhan: Will the Minister of **Commerce and Industry** be pleased to state:

(a) the extent of the effect of withdrawal of protection on the Sago industry; and

(b) whether any assistance is given to this industry under any of the small-scale industries assistance programme?

The Minister of Industry (Shri Manubhai Shah): (a) The withdrawal of protection on the Sago Industry had not adversely affected it.

(b) No particular assistance is given to this industry. However, this industry is also eligible for assistance under the small-scale industries assistance programme, *viz.*, technical assistance, easy credit facilities, accommodation, facilities for hire purchase of capital equipment, etc.

Pakistani Nationals Visiting India

2785. Shri D. C. Sharma: Will the **Prime Minister** be pleased to state:

(a) the number of Pakistani nationals from East and West Pakistan separately who visited India since December, 1959; and

(b) the number of Indians who visited East and West Pakistan separately during the same period?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) 115,829 and 35,134 Pakistan nationals from East and West Pakistan visited India respectively during the period from 1st December 1959 to 15th March, 1960.

(b) 43,922 and 25,349 Indian nationals visited East and West Pakistan respectively during the same period.

Publicity Organisers in Jammu and Kashmir State

2786. Shri D. C. Sharma: Will the Minister of **Information and Broadcasting** be pleased to state:

(a) the number of publicity organisers appointed in Jammu and Kashmir State so far under the integrated publicity programme;

(b) whether they have performed cinema shows in their respective areas during 1959-60; and

(c) if so, the number of places where these were performed?

The Minister of Information and Broadcasting (Dr. Keskar): (a) Four (Two Mass Contact Officers and two Publicity Organisers).

(b) Yes, Sir.

(c) Information is still being collected and will be placed on the Table.

Manufacture of Bicycles

2787. Shri D. C. Sharma: Will the Minister of **Commerce and Industry** be pleased to state:

(a) the total number of bicycles manufactured in India during the period from 1st December, 1959 to 31st March, 1960 (State-wise);

(b) the number of bicycles out of these sold in the country;

(c) the number of bicycles exported and foreign exchange earned therefrom during the above period (country-wise); and

(d) whether any bicycles have been imported during 1959-60?

The Minister of Industry (Shri Manubhai Shah): (a) to (d). A statement is laid on the Table. [*See* Appendix IV, annexure No. 97].

Press Council

2788. Shri D. C. Sharma:
Shri Vajpayee:
Shrimati Renuka Ray:

Will the Minister of **Information and Broadcasting** be pleased to refer to the reply given to Unstarred Question No. 1741 on the 18th December, 1959 and state the progress made in the setting up of the Press Council?

The Minister of Information and Broadcasting (Dr. Keskar): There has been no new development regarding the question since the reply given to question No. 1741 on 18th December, 1959.

Low Income Group Housing Scheme in Delhi

2789. Shri D. C. Sharma: Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) the number of persons to whom loans under the Low Income Group Housing Scheme in Delhi have been given during 1959-60 in the rural areas; and

(b) the total amount loaned?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) and (b): House-building loans, amounting to Rs. 92,400, were given to 55 persons in the rural areas of Delhi during 1959-60 under the Low Income Group Housing Scheme.

Printing Papers

2790. Shri V. P. Nayar: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it is a fact that recently the State Trading Corporation has received Japanese offers for the supply of printing and writing papers at rates very much cheaper than the rates quoted by Scandinavian countries;

(b) if so the action taken on the offer; and

(c) the date of receipt of the Japanese offer and the quantity offered as against the rates quoted by Scandinavian agencies?

The Minister of Commerce (Shri Kanungo): (a) and (b). Six offers for

the supply of Japanese printing and writing paper have been received by the State Trading Corporation on barter basis which are under consideration.

(c) A statement showing the date of receipt of the offers and the quantity offered is laid on the Table. [See Appendix IV, annexure No. 98]. It is not in the business interest of the Corporation to divulge the rates quoted.

Printing and Writing Paper

2791. Shri V. P. Nayar: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it is a fact that the Government of India have asked State Trading Corporation not to negotiate for the purchase of paper from Japanese sources on barter with manganese ore;

(b) if so, for what reasons; and

(c) whether it is also a fact that the Japanese offer was made for accepting low-grade manganese ore against supplies of both printing and writing papers?

The Minister of Commerce (Shri Kanungo): (a) No, Sir.

(b) Does not arise.

(c) While some of the Japanese offers for printing and writing paper are against export of manganese ore, others are against pig iron. These proposals are under consideration.

Printing Paper

2792. Shri V. P. Nayar: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether the State Trading Corporation makes allotment of imported printing paper to small presses in the country;

(b) if so, the basis of allotment;

(c) what are the prescribed qualifications of the small printing establishments for entitlement; and

(d) the reasons because of which the certificate of Chartered Accountants is not accepted at present?

The Minister of Commerce (Shri Kanungo): (a) to (c). State Trading Corporation arranges imports for actual users against Essentiality Certificates issued by competent authorities provided supplies are desired from countries with which Rupee payment agreements have been entered into.

(d) According to the Government Import Policy, actual users of printing paper should furnish Essentiality Certificates from Directors of Industries concerned or the Development Wing according as the consumer is operating in the smaller or larger sector, as the case may be.

State Trading Corporation

2793. Shri Narayanankutty Menon: Will the Minister of **Commerce and Industry** be pleased to lay on the Table of the House a statement showing:

(a) the names of firms which have participated through the State Trading Corporation in the exhibitions abroad during the years 1957-58, 1958-59 and 1959-60;

(b) whether it is a fact that almost the same firms participate in all the exhibitions; and

(c) if so, the reasons therefor?

The Minister of Commerce (Shri Kanungo): (a) The State Trading Corporation organised participation in Leipzig Spring Fair 1960 held from 28th February, 1960, to 8th March, 1960. A list of firms which participated in that Fair is laid on the Table. [*See* Appendix IV, annexure No. 99.] Prior to that, participation was organised by the Exhibition Directorate of the Ministry of Commerce and Industry.

(b) and (c). Do not arise.

Government Publications in Telugu

2794. **Shri Madhusudan Rao:** Will the Minister of **Information and Broadcasting** be pleased to state:

(a) how many books have been published in Telugu during 1959-60 by the Publications Division and their titles;

(b) whether it is a fact that Gandhi-ji's life in pictures is not published in Telugu;

(c) if so, the reasons therefor; and

(d) whether it is being published?

The Minister of Information and Broadcasting (Dr. Keskar): (a) Ten books have been published in Telugu during 1959-60; a list of the titles is laid on the Table.

STATEMENT

1. Recruitment to Armed Forces
2. Second Five Year Plan—Questions and Answers
3. Pure Water for the Villages
4. Jawaharlal Nehru on Community Development
5. Gram Sahayak
6. Co-operatives—Sure road to success (Help the Plan, Help Yourself Series)
7. Small Savings (Help the Plan, Help Yourself series)
8. India-China Relations
9. You and Community Development
10. Kalki (National Book Trust).

(b) to (d). The Mahatma Gandhi album in Telugu is under production and is expected to be released shortly.

Industrial Estates in Uttar Pradesh

2795. **Shri Sarju Pandey:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) the total amount allotted by the Central Government to Uttar Pradesh for setting up of Industrial Estates during the Second Five Year Plan period so far;

(b) the amount utilised so far; and

(c) the amount to be allotted during the remaining period of the Plan?

The Minister of Industry (Shri Manubhai Shah): (a) to (c). (A) During the Second Five Year Plan period a sum of Rs. 104·00 lakhs has been allotted by the Central Government to the Government of U.P. for their Industrial Estate schemes. Out of this a sum of Rs. 65.68 lakhs has been sanctioned till 31st March, 1960. The expenditure incurred by the State Government till 31st December, 1959 was Rs. 43·36 lakhs. An allocation of Rs. 25 lakhs has been tentatively agreed to by the Planning Commission for 1960-61.

(B) In addition a loan of Rs. 23 lakhs has so far been sanctioned by the Government of India in favour of the National Small Industries Corporation for the Industrial Estate at Naini. The construction of this estate was undertaken by National Small Industries Corporation but it is proposed to transfer the state to the Government of Uttar Pradesh shortly. The sanctioned amount has been utilised.

Relaying Station in Andhra Pradesh

2796. **Shri Madhusudan Rao:** Will the Minister of **Information and Broadcasting** be pleased to state:

(a) whether there is a proposal to instal a relaying station of All India Radio for North Coastal Andhra Pradesh; and

(b) if so, the particulars thereof?

The Minister of Information and Broadcasting (Dr. Keskar): (a) and (b). There is no such proposal at present. Proposals for the Third Five Year Plan are still under consideration.

Industrial Research

2797. Shri Bhagavati: Will the Minister of Commerce and Industry be pleased to state:

(a) what industrial research activities have been undertaken by Government or the enterprises in the Public Sector for finding out more effective and economical methods of production so that new products can be developed and established products can be improved in quality;

(b) what amount has been spent so far or proposed to be spent for industrial research;

(c) whether Government consider such industrial research essential for dynamic and continued growth of our economy and for increasing the vigour of our competitive enterprise system;

(d) what companies in the private sector have undertaken industrial research and what amount has been spent on such activities; and

(e) what are the research development laboratories in the field of industry?

The Minister of Industry (Shri Manubhai Shah): (a) to (e). It is not possible to collect such detailed information. It is the policy of Government to encourage industrial research in every sphere.

Middle Income Group Housing Scheme, Andhra Pradesh

2798. Shri Madhusudan Rao: Will the Minister of Works, Housing and Supply be pleased to state the total amount of money allotted under Middle Income Group Housing Scheme to Andhra Pradesh for the years 1959-60 and 1960-61 and the amount disbursed during 1959-60?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): A total sum of Rs. 75 lakhs was allocated to the Government of Andhra Pradesh for 1959-60 under the Middle Income Group Housing Scheme and the Life Insurance Corporation released to the State Government the entire amount before 31st March, 1960. Particulars of the amounts disbursed by the State Government in 1959-60 to applicants have not yet been made available by the State Government.

The State-wise allocation of funds for 1960-61 will be made after the demands have been received from all the States during the current year.

Slum Clearance in Delhi

2799. Shri Ram Krishan Gupta: Will the Minister of Works, Housing and Supply be pleased to refer to the reply given to Unstarred Question No. 780 on the 2nd December, 1959 and state:

(a) whether Government have considered the request of the Delhi Municipal Corporation for sanction of amount for slum clearance works for 1960-61; and

(b) if so, the results thereof?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) Yes.

(b) A provision of Rs. 150 lakhs has been made in the budget for 1960-61, to be given as financial assistance to the Corporation for the execution of slum clearance/slum improvement work in Delhi.

Indian Expert with W. H. O.

2800. Shri Ram Krishan Gupta:
Shri D. C. Sharma:
Shri S. M. Banerjee:

Will the **Prime Minister** be pleased to refer to the reply given to Starred Question No. 755 on the 10th December, 1959 and state at what stage is the question for grant of monetary assistance to the members of the family of Shri Tegh Bahadur attached to the World Health Organisation who was shot dead in Indonesia in September, 1959?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): It is understood from the Delhi office of the World Health Organization that in accordance with the terms of his appointment, the late Shri Tegh Bahadur Chhotani was a participant in the United Nations Pension Fund. Accordingly the U.N. Pension Fund Board have notified the widow of their readiness to pay monthly equivalent of U.S. Dollars 65.63 for herself and U.S. Dollars 75.00 for her children. The Board authorities are dealing directly with the widow in the matter.

2. The estate of the deceased has been paid the equivalent of U.S. Dollars 764.47 assums due to him from the W.H.O. In addition the W.H.O. had provided the deceased with a commercial policy and the proceeds thereof amounting to Rs. 61,050.13 have also been paid to the widow.

Mystery Box from Warsaw

2801. Shri Ram Krishan Gupta: Will the **Prime Minister** be pleased to refer to the reply given to Unstarred Question No. 1047 on the 7th December, 1959 and state:

(a) whether the investigations into the "mystery box" received from Warsaw containing a human skeleton have been completed; and

(b) if so, the result thereof?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) Yes.

(b) Further investigations have revealed the following facts. An official of the Ministry of External Affairs who was posted to the Embassy of India, Warsaw, in 1958, consigned 14 pieces of baggage to the 'Hold' of the ship by which he was travelling from Bombay. These packages were unloaded at Marseilles and despatched directly as freight to Warsaw by a clearing agency. Somehow, an additional package got included in the shipment to Warsaw, so that instead of his 14 packages, the official was presented with 15 pieces on arrival at Warsaw. He, thereupon, disowned the extra box and brought to the notice of the Transit Company the fact that an extra packing case, not belonging to him , had been included among his baggage. The Transit Company brought this fact to the notice of the Clearing Agency, which had despatched the baggage at Bombay.

This particular case was thereupon detained by the Polish Customs, who opened it to find that it contained a human skeleton, wrapped up in old newspapers.

Police investigations have further revealed that an Indian doctor, Shri P. C. Bansal, who was a fellow passenger of the official concerned, and is now reported to be attached to a Hospital in the United Kingdom, had purchased a set of human bones in September, 1958, from the Anatomical Department of the Grant Medical College, Bombay. Dr. Bansal had booked the wooden box containing the bones to travel with him from Bombay to London, but it had been misdirected to Warsaw.

Jute Delegation

2802. Shri Ram Krishan Gupta: Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Starred Question No. 770 on the 10th December, 1959 and state:

(a) whether Government have received the report from the Jute delegation; and

(b) if so, the recommendations made?

The Minister of Commerce (Shri Kanungo): (a) Yes, Sir.

(b) A statement is laid on the Table.

STATEMENT

Recommendations made by the Indian Jute Mills Association's Delegation to USA and UK.

1. Research on the problem of producing a high coloured jute fibre should be conducted in India with particular reference to the possibility of developing a cheap chemical which would precipitate the suspended discolouring impurities in the water in the retting tanks and allow the jute to be retted in the clear water near the surface.

2. For the purpose of exploring the markets for jute fabrics as an industrial textile as well as for the technical adaptation of jute fabrics to such uses, it would be necessary to engage the services of a Research and Development Consulting Firm in the U.S.A.

3. In order to propagate widely the specifications and properties of sacking fabrics in North America, it would be worthwhile, as a preliminary measure, to provide for a wide range of sacking fabrics to be made available for inspection in New York or for mailing to potential consumers.

4. As regards quality complaints, mills should take immediate cognisance of complaints and claims and move rapidly to determine and accept responsibility and consumers should give comprehensive details of the complaints and make certain of their facts before lodging them.

5. It is imperative that the industry be assured of its raw material at sound economic prices, to enable it to meet the opportunity offered by the present state of the North American economy for a significant increase in the use of jute products, and particularly to augment the industry's resources for further development.

Chemical Analysis of Ferro Alloy

2803. Shri Ram Krishan Gupta: Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Unstarred Question No. 24 on the 16th November, 1959 and state:

(a) whether Government have examined comments on the draft standards for methods of chemical analysis of Ferro Alloy; and

(b) if so, the result thereof?

The Minister of Commerce (Shri Kanungo): (a) Yes, Sir. The comments received on the Draft Indian Standard Methods of Chemical Analysis of the following ferro alloys were considered by the technical committee concerned of the Indian Standards Institution at its fifth meeting held on 24 and 26 December, 1959:

(i) Ferro Silicon,

(ii) Ferro Chromium, and

(iii) Ferro Manganese and Spiegeleisen.

(b) It has been decided to carry out certain modifications to these draft standards in the light of the comments received. These draft standards are now being processed for publication after carrying out the modifications decided upon by the technical committee.

Aluminium Plant at Rihand

2804. Shri Ram Krishan Gupta:
Shri S. M. Banerjee:

Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Starred Question No. 7 on the 16th November, 1959 and state the nature of progress made so far in setting up of an Aluminium plant at Rihand by Shri G. D. Birla in collaboration with M/s. Kaiser Engineers of U.S.A.?

The Minister of Industry (Shri Manubhai Shah): The Government of India have since approved the proposal of M/s. Hindustan Aluminium Corporation, Ltd., Bombay, to collaborate with Kaiser Engineers of U.S.A. for the setting up of an aluminium smelter at Rihand. The Export-Import Bank of Washington has authorised dollar credits in favour of the Hindustan Aluminium Corporation.

Liquid Gold

2805. Shri P. K. Deo: Will the Minister of **Commerce and Industry** be pleased to state:

(a) the quantity of Liquid Gold imported into India in the years 1958-59 and 1959-60 and the amount of foreign exchange involved;

(b) how it is used in the country;

(c) whether indigenous production of Liquid Gold can be taken up on a commercial scale as a result of research carried out at the National Metallurgical Laboratory, Jamshedpur;

(d) the finances that will be required to set up an industry for its production; and

(e) whether any application for licence has been received for its production in the country or whether Government want to produce it in the Public Sector?

The Minister of Industry (Shri Manubhai Shah): (a) There was no import of Liquid Gold during 1958-59 and 1959-60 as production in the country is adequate.

(b) It is mostly used in the decoration of Ceramics, pottery and glasswares.

(c) Possibilities of commercial exploitation of the process developed at the National Metallurgical Laboratory, Hyderabad for the manufacture of Liquid Gold are being explored.

(d) It is estimated that a capital of Rs. 50,000 besides a working capital of Rs. 1 lakh is required for the manufacture of 12,000 oz. of Liquid Gold per annum.

(e) Liquid Gold is not covered under the Industries (Development and Regulation) Act, 1951 and as such the question of grant of licences under the Act for its manufacture does not arise. There is no proposal to undertake the manufacture of Liquid Gold in the Public Sector for the present.

Documentary Film on Ike's Visit

2806. Shri P. K. Deo: Will the Minister of **Information and Broadcasting** be pleased to state:

(a) the amount spent in the production of the documentary film of President Eisenhower's visit to India; and

(b) whether a copy of the said documentary film was presented to President Eisenhower by the Indian Ambassador to the United States?

The Minister of Information and Broadcasting (Dr. Keskar): (a) and (b). The Films Division spent about Rs. 35000 on the actual production of the film. A copy was presented to President Eisenhower.

State Trading Corporation

2807. Shri Pangarkar: Will the **Minister of Commerce and Industry** be pleased to state the estimated earnings of the State Trading Corporation of India (Private) Limited on manganese ore contracted for exports during 1959-60?

The Minister of Commerce (Shri Kanungo): The total exports of Manganese Ore effected by the State Trading Corporation during the period April, 1959—March, 1960 amounted to Rs. 6,25,96,906 worth approximately.

The accounts in respect of the transactions on Manganese Ore during this period are still to be finalised. However, the profits earned by the Corporation on these transactions during the above mentioned period are roughly estimated at Rs. 18,97,388.

Export of Lac

2808. Shri Pangarkar: Will the Minister of **Commerce and Industry** be pleased to state:

(a) the export earnings of Lac in the second half of 1959 as compared to the corresponding period in 1958; and

(b) whether export of Lac has shown any improvement during the year 1959?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a). The export earnings of lac during the second half of 1959 were Rupees 3.18 crores as against Rupees 2.62 crores during the corresponding period in 1958.

(b) Yes, Sir. The exports of lac during 1959, as compared to 1958, have shown improvement, both in quantity and value.

चीनी और कपड़े का उत्पादन

२८०९. **श्री विभूति मिश्र** : क्या श्रम और रोजगार मंत्री यह बताने की कृपा करेंगे कि १९५८ और १९५९ में श्रमिकों ने जो हड़तालें कीं और धीरे-धीरे काम करने की नीति अपनाई उसके कारण चीनी और कपड़ा मिलों के उत्पादन में कितनी कमी हुई ?

श्रम उपमंत्री (श्री आबिद अली) : मांगी गयी सूचना प्राप्त नहीं है।

रीठे

२८१०. **श्री पद्मदेव** : क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि द्वितीय पंचवर्षीय योजना के अंतर्गत हिमाचल प्रदेश में रीठे को लोकप्रिय बताने तथा उसका प्रचार करने और उससे साबुन तैयार करने की जो योजना थी उस सम्बन्ध में क्या प्रगति हुई है ?

उद्योग मंत्री (श्री मनुभाई शाह) : रीठा पहले से ही धोने के काम आने वाला एक लोकप्रिय पदार्थ है और ग्रामीण क्षेत्रों में बहुत काम में लाया जाता है।

रीठे से साबुन बनाने की कोई योजना नहीं है किन्तु इस सम्बन्ध में यह बताया जा सकता है कि हिमाचल प्रदेश के उद्योग विभाग ने अपनी दूसरी पंच वर्षीय योजना में ४.०० लाख रु० की लागत से सोप नटों से सपोनाइन बनाने की योजना सम्मिलित की थी। विकास आयुक्त, लघु उद्योग, वाणिज्य तथा उद्योग मंत्रालय, नई दिल्ली ने इस योजना को अमल में लाने के लिये अपनी सहमति नहीं दी, क्योंकि सेपोनाइन का निर्माण एक उच्च प्रविधिक प्रक्रिया है और अभी तक भारत में ऐसा कोई उद्योग स्थापित नहीं हुआ है। इन परिस्थितियों में भारत सरकार की सलाह से इस योजना को अमल में लाने का विचार छोड़ दिया गया।

कुटीर तथा लघु उद्योग

२८११. **श्री पद्म देव :**
श्री हेम राज :

क्या वाणिज्य तथा उद्योग मंत्री एक ऐसा विवरण सभा-पटल पर रखने की कृपा करेंगे जिसमें यह जानकारी दी गई हो कि १९५७ से १९५९ तक हिमाचल प्रदेश में नगरों को छोड़ कर गांवों और अन्य पिछड़े हुए क्षेत्रों में कौन-कौन से कुटीर तथा लघु उद्योग आरम्भ किये गये और उनसे कतने लोगों को रोजगार मिला ?

उद्योग मंत्री (श्री मनुभाई शाह) : सदन की मेज पर एक ववरण रखा जाता है। [देखिये परिशिष्ट ४, अनुबन्ध संख्या १००]

Information Consultative Committee

2812. **Shri Damani:**
Shri Sarju Pandey:

Will the Minister of **Information and Broadcasting** be pleased to state:

(a) whether the Indo-Pakistan Information Consultative Committee has met in Delhi recently;

(b) if so, the points that were considered; and

(c) the decision taken thereon?

The Minister of Information and Broadcasting (Dr. Keskar): (a) to (c). The Indo-Pakistan Information Con-

sultative Committee, is meeting in New Delhi just now.

Labour Welfare Schemes

2813. Shri Chintamoni Panigrahi: Will the Minister of **Planning** be pleased to state;

(a) whether Central Government allocated any amount for the implementation of labour welfare schemes in different States during the Second Plan period;

(b) if so, what amount was allotted;

(c) how much of this amount has been spent by now; and

(d) the States which received financial assistance from Central Government in this respect?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) Yes,

(b) Rs. 24.83 crores.

(c) Rs. 11.89 crores.

(d) All States.

Rajnandgaon Cotton Mills

2814. Shri R. C. Vyas:
Shri Rameshwar Tantia:
Shri Sarju Pandey:

Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Starred Question No. 8 on the 9th February, 1960 and state:

(a) whether the enquiry has since been completed in Rajnandgaon Cotton Mills;

(b) if so, he findings and the recommendations of the Committee; and

(c) the steps taken to start the Mills?

The Minister of Commerce (Shri Kanungo): (a) Yes, Sir.

(b) The report of the Investigation Committee is a confidential document and as such it would not be in public interest to disclose the findings and recommendations of the Committee.

(c) Based on the recommendation of the Investigation Committee the Government of India issued 'directtions' to the mills under Section 16 of the Industries (Development and Regulation) Act, 1951 on the 17th March, 1960 requiring the mils to reresume working.

The mills have filed a Writ Petition before the Supreme Court of India against the Order of the Government. The Supreme Court has also granted temporary injunction from the operation of the Order.

सेनिटेक्स केमिकल्स इंडस्ट्रीज लिमिटेड, बड़ौदा

२८१५. **श्री बानपेरे :** क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि मनीभाई बी० अमीन एण्ड कम्पनी, मैनेजिंग एजेण्ट्स सैनिटिक्स केमिकल्स इण्डस्ट्रीज लिमिटेड, बड़ौदा के विरुद्ध आयात के लिये गलत ढंग से लाइसस प्राप्त करने और आयात किये गये माल का अनुचित प्रयोग करने की शिकायतें प्राप्त हुई हैं ;

(ख) यदि हां, तो ये शिकायतें कब प्राप्त हुईं और क्या उनकी जांच की गई थी ; और

(ग) अब तक की जांच का क्या परिणाम निकला ?

वाणिज्य मंत्री (श्री कानूनगो) : (क) से (ग) . मामले पर गौर किया जा रहा है । इस समय इससे अधिक जानकारी देना जनहित की दृष्टि से उचित नहीं होगा ।

Indian Doctors for Ceylon

2816. Shri D. C. Sharma: Will the **Prime Minister** be pleased to state:

(a) whehter it is a fact that Ceylonese Health Ministry propose to recruit 60 Indian Doctors;

(b) whether Government of India have been consulted about this proposal; and

(c) the reaction of the Government thereto in view of the shortage of medical personnel in the country?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): Government have no information.

Manufacture of Insulators

2817. Shri Thimmaiah: Will the Minister of **Commerce and Industry** be pleased to state:

(a) what is the quantity of the imported parts required by the Mysore Government for the manufacture of Insulators in the Mysore Government Procelain Factory; and

(b) how much is actually allowed to be imported by the centre?

The Minister of Industry (Shri Manubhai Shah): (a) and (b): The requirements of the Mysore Government Porcelain Factory for the imported parts required in the manufacture of insulators are not the same in each licensing period due to the fact that the production is based on a phased programme. However, the latest requirements of the factory for a licensing period of 6 months are indicated below:

	Rs.
Ball Clay . . .	1,35,000
Transfer paper . . .	7,200
Zinc thimbles . . .	7,250
Malleable cast iron metal parts . . .	4,50,000

Government's policy is to allow in full 6 months' requirements ignoring stocks and expected arrivals, but in special cases even more is given for materials which are not manufactured indigenously. The actual allotment to the Porcelain Factory during the April—September, 1959 licensing period was as follows:

	Rs.
Ball clay .	90,000 (because the factory had already excessive stocks
Transfer paper . . .	7,200
Zinc thimbles . . .	7,250
Malleable cast iron metal parts (in two stages) .	4,50,000

The requirments of the Factory were thus met in full, more or less, during the last licensing period.

Besides the above, items of non-recurring consumption like capital equipment are being licensed liberally, taking into account the indigenous availability of such stores.

Coca Cola Export Corporation

2818. Shri A. M. Tariq: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether any agreement has been made between the development wing of the Ministry and the management of Coca Cola Export Corporation; and

(b) if so, the details thereof?

The Minister of Industry (Shri Manubhai Shah): (a). No, Sir.

(b) Does not arise.

National Instruments Factory

2819. Shri Aurobindo Ghosal: Will the Minister of **Commerce and Industry** be pleased to state:

(a) the number of Government employees employed in the National Instrument Factory, Calcutta, whose servises were placed at the disposal of the National Instruments (P) Ltd. at the time of transfer; and

(b) what is their present status?

The Minister of Industry (Shri Manubhai Shah): (a) 1069 Government employees of the late National Instruments Factory were transferred to the National Instruments Ltd., Cal-

cutta on the formation of that Company on the 26th June, 1957 as detailed below:

	Permanent	Quasi-permanent	Temporary	Total
Gazetted	11	1	1	13
Non-Gazetted	230	..	99	329
Industrial Workers	611	..	116	727
TOTAL	852	1	216	1069

(b) All the Government servants have for the present been treated as on foreign service to the National Instruments Ltd., Calcutta, and during the period of foreign service their terms and conditions of service will continue to be the same as would have been admissible to them had they continued to be employed with the National Instruments Factory, Calcutta.

श्रम प्रबन्ध सहयोग

२८२०. **श्री श्रीनारायण दास**: क्या **श्रम और रोजगार** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या मार्च, १९६० के प्रथम सप्ताह में हुई श्रम प्रबन्ध सहयोग सम्बन्धी गोष्ठी द्वारा की गई सिफारिशों पर केन्द्रीय सरकार ने विचार कर लिया है ;

(ख) केन्द्र से सम्बन्ध रखने वाली मुख्य सिफारिशें क्या हैं ;

(ग) क्या केन्द्रीय सरकार ने ये सिफारिशें राज्य सरकारों को भेजते हुए उन्हें कोई परामर्श दिया है ; और

(घ) यदि हां, तो उस का स्वरूप क्या है ?

श्रम उपमंत्री (श्री आबिद अली): (क), (ग) और (घ). सेमिनार की सिफारिशें विचाराधीन हैं। इस विषय में जो फैसले किए जायेंगे वे राज्य सरकारों तथा उनसे सम्बद्ध अन्य को बता दिये जायेंगे।

(ख) सेमिनार की मुख्य सिफारिशें इस प्रकार थीं :—

(१) केन्द्रीय तथा प्रादेशिक स्तर पर समुचित मशीनरी स्थापित की जानी चाहिए ताकि यह निश्चय हो जाये कि संयुक्त प्रबंध परिषदें कार्यसाधन रीति से काम करे।

(२) कुछ और यूनिटों के लिए इस योजना का शीघ्र विस्तार होना चाहिए।

(३) समय समय पर योजना की प्रगति पर विचार करने और संयुक्त प्रबन्ध परिषदों के काम में आने वाली कठिनाइयां मालूम करने के लिए केन्द्र में एक त्रिदलीय समिति नियुक्त की जानी चाहिए।

(४) एक अफ़सर नियुक्त किया जाना चाहिए जो उन यूनिटों से, जिन्होंने योजना प्रारम्भ कर दी है, सूचना प्राप्त करे और प्राप्त सूचना अन्य यूनिटों में भेजे।

(५) योजना को लागू करने के लिए कानून बनाने की आवश्यकता नहीं है।

Drug Plant in Andhra Pradesh

2821. **Shri Rami Reddy:**
Shri Madhusudan Rao:

Will the Minister of **Commerce and Industry** be pleased to refer to the statement laid on the Table of the House regarding the location of Drug Projects and Intermediate Projects and also to the reply given to Starred Question No. 179 on the 17th February, 1960 and state:

(a) whether Government have since taken a final decision for the establishment of a synthetic Drug Plant in Andhra Pradesh;

(b) the salient features of the agreement entered into with U.S.S.R. for its establishment;

(c) what medicines will be manufactured in this factory;

(d) the estimated expenditure and the capacity of the Plan;

(e) by what time the actual production is expected to start; and

(f) whether the preliminary works connected with it have been taken up?

The Minister of Industry (Shri Manubhai Shah): (a) to (f). A statement is laid on the Table.

STATAMENT

It is proposed to establish a synthetic drug plant at Sanatnagar in Andhra Pradesh by utilizing a portion of the 80 million roubles credit offered by the U.S.S.R. Government for which an Agreement was entered into between the Government of India and U.S.S.R. on the 29th May, 1959; copies of this Agreement are available in Parliament Library.

This plant will produce synthetic drugs and certain intermediates required for their production. The total cost of the plant excluding township is estimated to come to Rs. 8.5 crores approximately. The plant will have a capacity of 850 tons per annum including the required quantity of intermediates.

The exact cost of the plant, its capacity and the time by which production would start will, however, be known only on receipt of detailed project report for the preparation of which, necessary Memorandum of Instructions has been handed over to the Soviet experts in March, 1960.

Working Groups under Planning Commission

2822. Shri N. R. Muniswamy: Will the Minister of **Planning** be pleased to state the amount spent on the Working Groups set up by the Planning Commission on the following projects to consider the programmes and proposals of the Third Plan;

(i) social welfare;

(ii) education;

(iii) housing; and

(iv) health?

The Deputy Minister of Planning (Shri S. N. Mishra): The only amounts specifically spent on the Working Groups set up by the Planning Commission in connection with the formation of the Third Plan relate to travelling and other incidental expenses incurred by non-officials associated with the Groups. The amounts thus spent on the Working Groups on Social Welfare and Technical Education amounted to Rs. 21,030 and Rs. 5,841 respectively. There was no such expenditure on the Working Groups on Health and Housing.

Ambar Charkha

2823. Shri Madhusudan Rao: Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Unstarred Question No. 618 on the 1st March, 1960 and state:

(a) whether the required information on Ambar Charkhas has since been received; and

(b) if so, what are the details thereof?

The Minister of Industry (Shri Manubhai Shah): (a) Yes, Sir.

(b) According to the information furnished by the Khadi and Village Industries Commission, handspinning on the Ambar Charkha is essentially a part time and supplementary occupation and not a full time work. It is, thereof, not the main source of livelihood for spinners. Moreover, the majority of the spinners on the Am-

bar Charkha are women and only a small number of men have taken to hand spinning on the Ambar, Complete information about the income of the Ambar Spinners is not available and the Commission considers that its collection on a scientific basis will involve considerable time and expenditure which will not be commensurate with the results. Subject to these limitations it has been reported that from an analysis of the 65,587 spinners (from whom some information is available), the distribution of spinners on the basis of their annual income is as follows:—

Income	Number of spinners
Below Rs. 100	50,321
Rs. 101 to 150	6,246
Rs. 151 to 250	5,583
Rs. 251 and above	3,437

2,81,753 Ambar Charkhas were distributed upto 31st January, 1960. It is estimated that about 1,69,000 Charkhas are being properly utilised.

Import of Dental Goods

2824. Pandit Thakur Das Bhargava: Will the Minister of Commerce and Industry be pleased to state:

(a) the practice and principle underlying the grant of import licence for dental goods;

(b) whether it is a fact that licences are granted for such goods to established importers as well as dentists for certain goods which are not available in the market;

(c) whether it is a fact that exorbitant prices are charged by the importers for such goods as are available and the consumers have to pay profit on such goods to the importers as well as the dental surgeon;

(d) whether Government have received any representation on behalf of the Dental Association complaining about very high prices charged by the Trade; and

(e) whether Government propose to liberalise the imports by granting free licences to dental practitioners?

The Minister of Commerce (Shri Kanungo): (a) The import of dental and surgical instruments, apparatus and appliances, not otherwise specified falling under S. No. 93-94(j)|V of the I.T.C. Schedule is allowed in accordance with the policy announced from period to period. Quota licences granted under this sub-serial number are valid for import of articles specified in Appendix LIV of the Red Book. Applications for import licences in respect of the requirements of Universities, Educational Institutions, Research Organisations, Technical/Technological Institutions and Hospitals are also considered.

(b) Yes, Sir. Applications are considered on merits for such goods which are either not produced in the country or are in short supply.

(c) and (d). The All India Dental Association, Bombay, has requested to place a curb on the exorbitant profits being made by the dealers. The matter is receiving attention.

(e) No, Sir.

Arrears of Rent from M.Ps.

2825. Shri Aurobindo Ghosal: Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether any rent is due from any Member of Parliament from 1957 to 1959;

(b) if so, from how many Members; and

(c) what is the total amount?

The Minister of Works, Housing and Supply (Shri K. C. Reddy): (a) to (c). Rent of residences allotted to Members of Parliament is recovered from their salaries and allowances and there is a time lag between the actual recovery and receipt of intimation in the Directorate of Estates. At the end of February 1960 the rent outstanding in the books of the Directorate of Estates was Rs. 15,768 from

181 present Members and Rs. 17,963 from 78 former Members of Parliament. The recovery from former Members is due mostly for the period they had overstayed even after they ceased to be Members and the rents could not be realised against their salaries.

Absorption of Retrenched Steel Plant Workers

2826. Shri Hem Barua: Will the Minister of **Labour and Employment** be pleased to state:

(a) whether Government have drawn up any plan for the absorption of workers likely to be thrown out of employment on the completion of Government Steel Plants and winding up of work in the Office of Chief and Regional Settlement Commissioners; and

(b) if so, the broad details of the scheme?

The Deputy Minister of Labour (Shri Abid Ali): (a) Yes.

(b) Surplus|retrenched employees are continuously being brought to the notice of employers both in the Public and Private Sectors for absorption. The Central and State Coordination Committee remain in touch with their requirements. Instructions have also been issued to all concerned to send recruiting teams to select surplus persons and offer alternative employment on the spot.

आकाशवाणी का गीत तथा नाटक विभाग

२८२७. **श्री रा० स० तिवारी :** क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि गीत तथा नाटक विभाग के एक ही चुनाव बोर्ड द्वारा चुने गये कर्मचारी विभिन्न वेतन-क्रमों पर नियुक्त किये गये हैं ;

(ख) यदि हां, तो इस के क्या कारण हैं ; और

(ग) इस असमानता को दूर करने के लिये क्या पग उठाये जा रहे हैं ?

सूचना तथा प्रसारण मंत्री (डा० केसकर) : (क) जी, हां ।

(ख) प्रत्येक चुने हुए आर्टिस्ट को फीस (वेतन-क्रम नहीं) योग्यता के अनुसार निश्चित की जाती है ।

(ग) प्रश्न नहीं उठता ।

Khadi and Village Industries Commission

2828. Shri S. R. Arumugham: Will the Minister of **Commerce and Industry** be pleased to state:

(a) how many cases of misappropriation have occurred in Khadi Department under the former All India Khadi and Village Industries Board and the present Khadi and Village Industries Commission under various items of Khadi, Cotton and spinning implements during the periods 1956-57, 1957-58, and 1958-59; and

(b) what is the amount involved and the amount recovered?

The Minister of Industry (Shri Manubhai Shah): (a) There was no case of misappropriation during 1957-58. 3 and 4 cases of misappropriation occurred during 1956-57 and 1958-59, respectively.

(b) The amount involved is Rs. 16,772,54 nP. out of which Rs. 11,259.13 nP. have already been recovered and steps are being taken to recover the remaining amount.

Kidwai Nagar, New Delhi

2829. Shri D. C. Sharma: Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) whether it is a fact that shops and quarters constructed in Kidwai Nagar, New Delhi are lying vacant for the last few months;

(b) whether it is also a fact that the residents of the Colony are greatly

inconvenienced due to lack of a market;

(c) whether it is also a fact that Government has lost considerable amount due to non-allotment of these shops and quarters;

(d) if so, the reasons therefor; and

(e) the action proposed to be taken in the matter?

The Minister of Works, Housing and Supply (Shri K. C. Reddy): (a) to (e). It is a fact that, in the absence of a regular market, the residents are inconvenienced. There are, however, about 40 temporary and improvised stalls in the locality that supply their day-to-day requirements.

The shopping centre in Kidwai Nagar was completed in all respects only towards the end of March, 1960. Physical possession of the market was taken over by the New Delhi Municipal Committee on the 6th April, 1960, for allotment to entitled refugees. The New Delhi Municipal Committee have finalised the allotment of flats and the allottees are expected to move there soon. The allotment of shops is likely to be finalised by the New Delhi Municipal Committee by the end of April, 1960.

As the market is being sold to the New Delhi Municipal Committee the question of any loss to Government does not arise.

Printing Machines

2830. Shri D. C. Sharma: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it is a fact that an export manufacturer of printing machines from U.S.A. visited India recently and held talks with the officials of Government;

(b) whether it is also a fact that he has submitted a proposal in this connection to the Government of India;

(c) if so, the brief details of the plan; and

(d) the outcome of the talks?

The Minister of Industry (Shri Manubhai Shah): (a) to (d). A representative of a manufacturer of printing machinery in the United States of America who was recently on a visit to India, had talks of a tentative nature with the officers of the Ministry of Commerce and Industry. Concrete proposals for the manufacture of printing machines are awaited.

Sindri Fertilizer Factory

2831. Shri H. N. Mukerjee: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether a new turbo-exhauster has been installed in place of old exhauster which went out of commission as a result of fire in Sindri Fertilizer Factory in February, 1960;

(b) if so, at what cost;

(c) whether an enquiry has been made into the circumstances of the accident; and

(d) if so, with what result?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) and (b). The original manufacturers of the turbo-exhauster have been contacted by the Company. A quotation was also received but it was not complete in some respects. The actual cost will only be known when the final order is placed.

(c) Yes.

(d) From the Report submitted by the Committee it appears that the accident was caused by excessive speed of the machine during operation. This was purely accidental and no one could be held responsible for it.

Leather Industry

2832. Shri Muhammed Elias: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether "the waste from the leather industry alone amounted to Rs. 350 millions" according to the statement made by Prof. M.S. Thacker, Secretary, Ministry of Scientific Research and Cultural Affairs; and

(b) if so, the reasons therefor?

The Minister of Industry (Shri Manubhai Shah): (a) No, Sir. It has been ascertained from Prof. Thacker that, while making the said statement, he had in mind waste in the full utilisation of carcasses and not waste in the leather industry alone. As already stated in reply to Unstarred Question No. 1102 by Shri P. C. Borooah answered in the Lok Sabha on 14th March 1960, the waste, if any, in the leather industry would only be nominal, as by-products of leather and leather goods are being made use of.

(b) Does not arise, in view of the answer to (a) above.

Staff in D.G.S.&D.

2833. Shri Vajpayee: Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) whether the rules governing the inter-seniority of various categories of staff and other conditions for promotion to the post of Assistant Director (Grade II) in the Supplies and Disposals Wing of the Director General of Supplies and Disposals have been finalised;

(b) if not, the reasons for this delay;

(c) whether it is a fact that pending the finalisation of the proposed rules, promotions of the technical staff have been withheld;

(d) if so, the reasons therefor; and

(e) whether it is a fact that non-technical officers are promoted to the post of Assistant Director Grade II?

The Minister of Works, Housing and Supply (Shri K. C. Reddy): (a) No.

(b) A decision to reserve vacancies for departmental promotions was taken in consultation with the UPSC in January 1959. The principles governing promotions from the various categories of staff are now being laid down in consultation with them.

(c) No.

(d) Does not arise.

(e) Yes; the posts of Assistant Directors (Grade II) are not exclusively meant for technical officers.

Export of Manganese Ore

2834. Shri P. C. Borooah: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it is a fact that the export of manganese ore which so far held the topmost place amongst the exported minerals has been pushed to the second position; and

(b) if so, the reasons thereof?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) and (b). Due to decline in the world price of manganese ore and higher exports of Iron ore, the former has yielded the topmost place to the latter as an earner of foreign exchange in the mineral export trade of the country. The position may be clear from the trade figures given below:—

	(Quantity in '000' tons) / Value in lakhs of rupees			
	1958		1959	
	Q.	V.	Q.	V.
Manganese ore	9,17	15,15	9,09	12,34
Iron Ore	18,66	9,99	24,71	12,93
TOTAL		25,14		2,527

Tour by Coal Miners

2835. Shri Aurobindo Ghosal: Will the Minister of **Labour and Employment** be pleased to state:

(a) if any excursion-*cum*-study tour of coal miners was arranged in March last; and

(b) if so, by whom and how many miners joined the tour?

The Deputy Minister of Labour (Shr Abid Ali): (a) Yes.

(b) By the Coal Mines Labour Welfare Organisation. Six hundred and twentysix miners joined the tour.

Handloom Industry in Punjab

2836. Shri Daljit Singh: Will the Minister of **Commerce and Industry** be pleased to state the amount of financial assistance asked for and proposed to be given from the handloom cess fund during 1960-61 towards the development of handloom industry in Punjab?

The Minister of Commerce (Shri Kanungo): At a meeting held between the representatives of the State Government, Planning Commission and this Ministry, it has been tentatively agreed that the ceiling of Central assistance to Punjab for the development of handloom industry during 1960-61 will be Rs. 6.58 lakhs (Rs. 0.81 lakhs as loan and Rs. 5.77 lakhs as grant).

Small Scale Industries Research Unit of UNESCO

2837. Shri Madhusudan Rao: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it is a fact that Hyderabad has been selected for establishing a Small Scale Industries Research Unit by the U.N.E.S.C.O.; and

(b) if so, the particulars in this respect?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). No definite information is yet available.

Machinery for cutting Stones

2838. Shri Jadhav: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether machinery for cutting hard or soft stone to required size and stone polishing machinery is available of the indigenous make or foreign make;

(b) whether the machinery referred to above is being used at present in the country;

(c) what is the price of each variety of the machinery;

(d) whether it is a fact that an engineer from Arvindo Ashram at Pondicherry has invented a machine for stone polishing; and

(e) if so, what is the capacity of the machine?

The Minister of Industry (Shri Manubhai Shah): (a) Government are not aware of any indigenous production of stone cutting and polishing machines; these machines are being imported though the value of such imports is very small.

(b) Yes, Sir.

(c) to (e). Government have no information.

भारत-चीन सीमा-विवाद संबंधी साहित्य

२८३९. **श्री खुशवक्त राय :** क्या प्रधान मंत्री १२ अप्रैल १९६० के तारांकित प्रश्न संख्या १४३० के उत्तर के संबंध में यह बताने की कृपा करेंगे कि :

(क) भारत-चीन सीमा-विवाद पर जो साहित्य छापा गया है उसकी कुल कितनी प्रतियां छापी गई हैं और उस में से अब तक भारतवर्ष में कितनी वितरित की गई हैं ;

(ख) प्रत्येक भारतीय भाषा में इसकी कितनी प्रतियां बांटी गई हैं ;

(ग) इस संबंध में जो एटलस (मान-चित्रावली) छापा गया है उसकी कितनी प्रतियां विदेशों में स्थित भारतीय दूतावासों को भेजी गई हैं और उनके द्वारा वितरित की गई हैं ; और

(घ) इस एटलस की कितनी प्रतियां भारत के निवासियों ने खरीदी हैं ?

प्रधान मंत्री तथा वैदेशिक-कार्य मंत्री (श्री जवाहरलाल नेहरू) : एक ब्योरा सदन की मेज पर रख दिया है। [देखिये परिशिष्ट ४, अनुबन्ध संख्या १०१]।

Production of Transistors

2840 { **Shri Ajit Singh Sarhadi:** / **Shri Ram Krishan Gupta:**

Will the **Prime Minister** be pleased to state whether it is a fact that the Atomic Energy Establishment are going to undertake the production of transistors?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): Yes. The Atomic Energy Establishment Trombay is proposing to take up the production of transistors and is planning to change over gradually to transistorised equipment.

Indian Trade Commissioner in Mombasa

2841. Dr. Ram Subhag Singh: Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that Indian Trade Commissioner in Mombasa Shri V. V. Deo and party were refused permission to take bath in a swimming pool attached to a hotel on sea coast in Malandi at a distance of seventy-five miles from Kenya; and

(b) whether it is also a fact that due to the non-availability of accommodation in hotels there, these persons took meals and rested under the shade of a tree?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) and (b). The present incumbent of the post of Indian Trade Commissioner, Mombasa, is Shri V. V. Dev.

On 10th April, Shri Dev, with his three children and two friends, visited the holiday resort at Malindi. They made unsuccessful attempts to obtain accommodation in two hotels—Blue Marlin Hotel and Lawfords Hotel. In the third hotel called 'Eden-Roc', they asked for food which was served outside the building under a latticed sunshade adjoining a swimming pool. Their request to get into the pool was politely refused. Subsequently, the party saw a notice board outside notifying that "admission to the pool is restricted to Europeans only".

The Indian Commissioner at Nairobi has taken up the matter with the Chief Secretary to the Government of Kenya.

Class IV Staff of C.P.W.D.

2842. Shri Tangamani: Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) whether it is a fact that zonal seniority list is maintained of class IV staff of the Central Public Works Department working in various Divisions and Circles for purposes of reduction of establishment;

(b) whether it is a fact that Circle seniority is maintained for purposes of promotion; and

(c) if so, the reasons therefor?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) Yes.

(b) Yes.

(c) The seniority of class IV staff borne on the regular establishment is maintained on zonal basis for purposes of reduction in establishment in order to save them from retrenchment. The total strength of Class IV staff concerned in the Department

is only about 1500 in Regular Establishment and 723 Isolated posts, no difficulty is felt in the co-ordination of this on a zonal basis by Superintending Engineer (Co-ordination).

Since the Circle is an administrative unit, the seniority of Class IV staff borne on Circle|Divisional Offices cadre is maintained on Circle basis, for purposes of promotion.

Seniority List of C.P.W.D. Class IV Staff

2843. Shri Tangamani: Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) whether it is a fact that all India seniority list is maintained for peons, Barkandazes, Chowkidars and Daftries working in the various Divisions and Circles of the Central Public Works Department for purposes of confirmation;

(b) whether it is a fact that in case of other class IV staff zonal seniority list is maintained for confirmation; and

(c) if so, the reasons therefor?

The Minister of Works, Housing and Supply (Shri K. C. Reddy): (a) Yes.

(b) Yes.

(c) Categories of Class IV staff other than Peons, Barkandazes, Chowkidars and Daftries are not sanctioned uniformly for each Unit. They are sanctioned in a few Circles and Divisional Offices according to the need.

There are posts which exist in one zone but do not exist in other zones. Seniority list has, therefore, been maintained on Zonal basis in respect of such Class IV posts.

Workcharged Staff of C.P.W.D.

2844. Shri Tangamani: Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) whether it is a fact that certain categories of workcharged staff of the Central Public Works Department who opted for regular establishment, have been brought to the regular establishment;

(b) if so, whether the circle, zonal and All India seniority lists of Class IV and Class III staff have been revised and brought up-to-date; and

(c) if not, the reasons therefor?

The Minister of Works, Housing and Supply (Shri K. C. Reddy): (a) Yes.

(b) and (c). Not yet. The matter is being expedited by the Chief Engineer, Central Public Works Department.

C.P.W.D.

2845. Shri Tangamani: Will the Minister of **Works, Housing and Supply** be pleased to refer to the reply given to Unstarred Question No. 1912 on the 8th April, 1960 and state:

(a) the names of Circles and Divisions which are within the jurisdiction of Northern Zone;

(b) the names of offices which are within the jurisdiction of Southern Zone; and

(c) the names of offices which are within the jurisdiction of Eastern Zone?

The Minister of Works, Housing and Supply (Shri K. C. Reddy): (a) to (c). A statement is laid on the Table. [*See* Appendix IV, annexure No. 102.]

C.P.W.D.

2846. Shri Tangamani: Will the Minister of **Works, Housing and Supply** be pleased to refer to the reply given to Unstarred Question No. 1911 on the 8th April, 1960 and state:

(a) the categories which have been declared as isolated posts and the reasons therefor; and

(b) the categories which have been declared as ministerial posts and drawing staff?

The Minister of Works, Housing and Supply (Shri K. C. Reddy): (a) and (b). A statement is lind on the Table. [*See* Appendix IV, annexure No. 103.]

Leather Factory in Kerala

2847. Shri Kunhan: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether there was any proposal to start a leather factory at Vaniamkulam, District Palghat (Kerala State);

(b) whether the proposal has been dropped; and

(c) if so, the reasons therefor?

The Minister of Industry (Shri Manubhai Shah): (a) to (c). A statement is laid on the Table.

STATEMENT

An Extension Centre for Leather Goods at Vaniamkulam was sanctioned in 1957 by the Government of India for being set up under the jurisdiction of Small Industries Service Institute, Trivandrum now at Ollur. The office of the Centre is located in rented premises for the time being. Meanwhile action is being taken to select the site to locate the Centre. Out of the sanctioned amount of Rs. 33,000 for the purchase of machinery and equipment, those worth Rs. 18,200 have already been received. Arrangements are being made to install the machines received. An expenditure of Rs. 1,046 was incurred on 'other charges' during the year 1959-60.

The centre is designed to impart training in the manufacture of all varieties of leather goods with the aid of simple machines so that the trained persons will have opportunities for adopting this trade as their career. To start with it is proposed to take twelve trainees who will be given a stipend of Rs. 25 per mensem each.

कस्तूरबा नगर, दिल्ली

२८४८. श्री भक्त दर्शन : क्या निर्माण आवास और संभरण मंत्री ८ अप्रैल, १९६०

के अतारांकित प्रश्न संख्या १८६८ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) कस्तूरबा नगर, दिल्ली में पानी के प्रदाय और दबाव को बढ़ाने के लिये किन प्रस्तावों पर विचार किया जा रहा है ; और

(ख) उपरोक्त प्रस्तावों पर कब तक अन्तिम निर्णय होने की सम्भावना है ?

निर्माण, आवास और संभरण मंत्री (श्री क० च० रेड्डी) : (क) और (ख). विचाराधीन प्रस्तावों में एक अपेक्षाकृत बड़ी मुख्य नाली से एक अतिरिक्त प्रदाय नल (सप्लाई लाइन) लगाने की और इस समय विद्यमान जोड़-चूड़ी (फैरूल) के स्थान पर दूसरी अधिक समाई की जोड़-चूड़ी लगाने की बात है। इस विषय में बहुत शीघ्र कुछ निर्णय हो जाने की आशा है।

Norms of Work loads

2849. Shri Amjad Ali: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it is a fact that the National Productivity Council has suggested a Scheme for working out norms of work-loads and linking them with wages;

(b) what steps Government have taken to implement them;

(c) whether they have been implemented in certain industries;

(d) if so, what are the results; and

(e) whether there is any proposal to publish this Scheme for the benefit of private employers?

The Minister of Industry (Shri Manubhai Shah): (a) to (e). The National Productivity Council considers all these subjects. No specific proposals have been received from the National Productivity Council by Government.

Licences under Industries (Development and Regulation) Act

2850. Shri P. G. Deb: Will the Minister of **Commerce and Industry** be pleased to state:

(a) how many new undertakings were granted licenses under Industries (Development and Regulation) Act during the months of February, March and upto 15th April, 1960 to different industries; and

(b) whether a list showing the names of these undertakings will be placed on the Table along with the capacity to be produced by each applicant?

The Minister of Industry (Shri Manubhai Shah): (a) 133.

(b) Reference is invited to the Indian Trade Journal and Journal of Industry and Trade in which full particulars of the licences issued under the Industries (Development and Regulation) Act, 1951, are published.

'Coirolite'

2851. Shri Maniyangadan: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether the Coir Board have developed a process for making a substance called 'Coirolite';

(b) if so, what are the uses that can be made of this substance; and

(c) whether there is any proposal to manufacture coirolite on a commercial basis?

The Minister of Industry (Shri Manubhai Shah): (a) to (c). The Coir Board has developed a process for making the substance known as Coirolite which is now worked out at laboratory level only. The researches on the process are still continuing. Coirolite may be used for obtaining articles of any shape like ashtrays, inkstands, shallow trays, switches, lampholders etc. and other utility articles of day-to-day use. The extent to which the substance can be used for industrial or commercial purposes is still under investigation.

Employees of the Coffee Board

2852. Shri Kodiyan:
Shri Warior:
Shrimati Parvathi Krishnaa:
Shri S. M. Banerjee:
Shri Parulekar:

Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether the Award of the Industrial Tribunal, Bombay in respect of employees of the Coffee Board has been implemented;

(b) if not, the reasons therefor; and

(c) whether the Coffee Board has preferred an appeal against the above Award?

The Minister of Commerce (Shri Kanungo): (a) No, Sir.

(b) and (c). The Coffee Board has preferred an appeal against the Award in the Supreme Court and the case has not so far been disposed of.

Hindu and Sikh Shrines in Pakistan

2853. Shri Shiva Datt Upadhyaya: Will the **Prime Minister** be pleased to state:

(a) whether the Governent of India are incurring any expenditure on the repair and up-keep of the Hindu and Sikh shrines of historic importance in Pakistan;

(b) if so, the cost of such expenditure for each shrine during the last three years;

(c) whether these shrines are being looked after by Indian nationals or by Pakistani nationals; and

(d) the salient features of any Indo-Pakistan agreement on the subject of shrines?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) and (b). No, Sir.

(c) All important Hindu/Sikh shrines other than those occupied unauthorisedly or which are in a state of disrepair or which have been

abandoned, are being looked after by Hindus|Sikhs who may either be Indian or Pakistani nationals. Only in the case of Nankana Sahib, the Shiromani Gurdwara Parbandhak Committee are reported to have been maintaining 20 sewadars to look after the holy shrine, at their own cost.

(d) There have been three agreements in July 1953, August 1953 and May 1955. It may be noted that these pertain to West Pakistan. The salient features of these are:

(a) Shrines should be protected and maintained.

(b) Increased facilities should be given to pilgrims interested in visiting these.

(c) Sewadars and khadims attached to these should be permitted residence facilities and also afforded protection.

(d) Properties attached to shrines should be dealt with separately from trust properties.

Radio Literary Forum

2854. Shri Madhusudan Rao: Will the Minister of **Information and Broadcasting** be pleased to state:

(a) how many writers are participating in the Fifth All India Radio Literary Forum to be held in New Delhi currently;

(b) the names of the States from where the writers have been invited and are attending the Forum;

(c) the names of the States from where no writer is attending;

(d) the approximate expenditure to be incurred on the Conference; and

(e) the number of prizes, if any, and their value to be given to outstanding writers?

The Minister of Information and Broadcasting (Dr. Keskar): (a) 94 writers participated in the Fifth Akashvani Sahitya Samaroh (Radio Literary Forum) which was held from 15th to 17th April, 1960.

(b) and (c). The participants were invited from all principal language groups and not State-wise.

(d) It is not feasible to separately calculate the expenditure on the Radio Literary Forum as it forms an integral part of the entire programme expenditure.

(e) No prizes are given to the participants.

Fifth Drama Festival

2855. Shri Madhusudan Rao: Will the Minister of **Information and Broadcasting** be pleased to state:

(a) whether artistes from all over India were invited for the Fifth Drama Festival to be held in Talkatora Garden from 16th April;

(b) the number and names of parties invited and number and names of parties actually attending;

(c) the nature of awards to be given to the best plays; and

(d) the total expenditure to be incurred on the festival and prizes?

The Minister of Information and Broadcasting (Dr. Keskar): (a) and (b). The Summer Drama Festival is organised on the basis of participation in the expences by the State Governments and all State Governments and Administrations (other than Andaman and Nicobar) were addressed regarding the troupes which they wished to sponsor and the plays proposed. This year some State Governments were unable to sponsor troupes and hence certain States were not represented in the Festival. A statement showing the names of troupes selectd for participation is laid on the Table.

STEATEMENT

(1) Sevastage.

(2) The Shillong Kala Parishad, Shillong.

(3) Folk Entertainment Section of the West Bengal Government.

(4) Three Arts Club, New Delhi.

(5) Visva Bharati Music Board, Calcutta.

(6) The Samskrita Ranga, Madras.

(7) Natya Niketan Private Ltd., Bombay.

(8) Ravi Artistes, Bangalore.

(9) Natya Bharati, Indore.

(10) Headqarters drama troupe of Song and Drama Division.

(c) No, prizes are to be awarded

(d) Rs. 40,000 approximately.

Transmitters at Hyderabad and Vijayawada All India Radio Stations

2856. Shri Madhusudan Rao: Will the Minister of **Information and Broadcasting** be pleased to state:

(a) whether there is a proposal to instal more powerful transmitters at Hyderabad and Vijayawada stations of All India Radio;

(b) if so, the particulars thereof; and

(c) if the reply to part (a) above be in the negative, the reasons therefor?

The Minister of Information and Broadcasting (Dr. Keskar): (a) No, Sir.

(b) Does not arise.

(c) The State of Andhra Pradesh is being served at present by the 20 KW MW transmitters at Vijayawada and by the 5 KW MW and the recently installed 10 KW SW transmitters at Hyderabad. No other project exists in the second Five Year Plan.

Tax Relief to Award Winning Pictures

2857. Shri Madhusudan Rao: Will the Minister of **Information and Broadcasting** be pleased to state:

(a) whether there is a proposal to give full tax relief to the State Award Winning films as a part of encouragement to produce best pictures; and

(b) if so, the particulars thereof?

The Minister of Information and Boardcasting (Dr. Keskar): (a) No, Sir.

(b) Does not arise.

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Surveys conducted by Indian Embassy in Paris

2858. Shri P. C. Borooah: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it is a fact that the Embassy of India in Paris conducted market surveys on vegetable oils and precious stones and has prepared the survey reports through Economist Intelligence Unit Limited, London; and

(b) if so, the main features of the report?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) Yes, Sir.

(b) The main features of the report are:

(i) *Vegetable Oils.*—There has been a marked increase in demand for castor oil due to its multifarious uses in the manufacture of plastics, nylons, high grade lubricants, etc. No marked increase in consumption of edible oils is likely in the next few years except in respect of groundnut oil which is required for margarine production. Linseed offers great possibilities from the point of view of Indian exports.

Oil seeds in France are bought by a centralised purchasing agency which gives preference to supplies from French overseas territories. Oil and seed imported from French overseas terriorities are duty free. 8:5 per cent. *ad valorem* duty is charged on seed imports from third countries Similarly, oils originating in third countries are subject to a 16 per cent. tariff with the exception of linseed and coconut oils for which the duty is 13 per cent.

Oils without any scent or flavour are preferred for domestic and industrial purposes. French dealers prefer oils refined in their own country. A fair-sized outlet exists for high quality oils which are required for a wide range of **industrial applications.**

(ii) *Precious Stones.*—Design is an important factor in determining consumer choice. A large potential market for the cheaper range of precious stones exists still untapped. A promotion campaign may reap a rich harvest for reasonably priced stones.

Appointment of Tibetan Lamas in Universities for Teaching Buddhism

2859. Shri P. C. Borooah: Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that some Tibetan Lamas are going to be appointed in some Universities for teaching Buddhism, Pali and Tibetology; and

(b) if so, the nature of the scheme?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) and (b). In order to promote Tibetology and the study of Buddhism, the Government of India have sanctioned ten fellowships of the value of Rs. 300 per month each, for one year, in the first instance for learned Lamas to be selected from amongst the Tibetan refugees on Indian soil. The Lamas so selected will be attached to various Indian Universities and the Namgyal Institute of Tibetology, Gangtok. They will carry out research, undertake occasional teaching work and prepare bibliographies. Two learned Lamas have already joined the Namgyal Institute and one has joined the Sanskrit University, Varanasi.

Fire in Soviet Embassy in New Delhi

2860. Shri P. C. Borooah: Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that fire broke out in Soviet Embassy in New Delhi;

(b) if so, the estimated loss; and

(c) the causes of the fire?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) Yes.

(b) and (c). No details are available as the matter has not been officially reported by the Embassy of the U.S.S.R. in India.

Markets in Delhi

2861. Shri Daljit Singh: Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) whether notices are being served on the allottees of Sarojini Market, New Central Market and Pleasure Garden Market, New Delhi to execute the license deeds by bringing them under the purview of the Public Premises (Eviction of Unauthorised Occupants) Act, 1958;

(b) whether a representation against the execution of the proposed draft of license deed has been presented by the allottees;

(c) whether it is a fact that rent is not beng received from the allottees; and

(d) if so, the amount of arrears which have accumulated for this reason?

The Minister of Works, Housing and Supply (Shri K. C. Reddy): (a) The allottees who had not executed any agreement with the Government in respect of the premises (shops/flats) allotted to them have been asked to execute license deeds. The question of bringing them under the purview of the Public Premises (Eviction of Unauthorised Occupants) Act, 1958, does not arise. The Act will automatically apply to unauthorised occupants of public premises.

(b) Yes.

(c) It is not true to say that rent is not being accepted.

(d) Does not arise.

Lajpat Rai and Jhandewala Markets

2862. Shri Daljit Singh: Will the Minister of **Rehabilitation and Minority Affairs** be pleased to state what steps are being taken for the early construction of the remaining portion of Lajpat Rai Market and Jhandewala Market in Delhi and when they are likely to be completed?

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): First sector of Lajpat Rai Market has already been completed. Steps are being taken in consultation with the Delhi Municipal Corporation to get the site for the second sector, which is occupied by eligible as well as ineligible stall-holders, vacated. After the site is made available the construction of this sector will be completed within a year or so.

Jhandewala Market is a scheme of the Delhi Municipal Corporation.

Pleasure Garden Market, Delhi

2863. Shri Daljit Singh: Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) whether it is a fact that a representation for providing necessary amenities and improvements of the Pleasure Garden Market (New Lajpat Rai Market), Delhi was received; and

(b) if so, what action has so far been taken thereon?

The Minister of Works, Housing and Supply (Shri K. C. Reddy): (a) and (b). Governmen received in September, 1959, a copy of a resolution of the Markets and Garden Committee of the Municipal Corporation of Delhi, suggesting the provision of more public latrines, urinals, hydrants and cycle stands in the Pleasure Garden Market. The matter was examined and the amenities already provided there were considered sufficient to meet the needs of the shopkeepers and customers.

Allottees of Markets in Delhi

2864. Shri Daljit Singh: Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) the number of allottees of New Central Market, Sarojini Market and Pleasure Garden Market, New Delhi;

(b) the number of allottees to whom notices for execution of licence deeds have been given;

(c) the reasons or law under which the relationship of tenant is sought to be changed to that of licensee; and

(d) the number of allottees to whom notices for termination of tenancy have been served without assigning any reason?

The Minister of Works, Housing and Supply (Shri K. C. Reddy): (a)

Name of the Market	Number of allottees
New Central Market	201
Sarojini Market	187
Pleasure Garden Market	390
	778
(b) New Central Market	3
Sarojini Market	3
Pleasure Garden Market	225
	231

(c) The allottees who had not executed any agreement with the Government in respect of the shops or flats in their occupation were asked to execute Licence Deeds.

(d) Nil.

International Labour Conferences

2865. Dr. Samantsinhar: Will the Minister of **Labour and Employment** be pleased to state:

(a) how many International Labour Conferences have been held since 1951 in which India has participated and at what places;

(b) what are the methods of selecting personnel of Indian Delegations to these Conferences;

(c) whether Central Government request the States to select their representatives to be included in these delegations;

(d) the names of the personnel and the States they belong to that have formed the Delegations to each of these Conferences; and

(e) the names of persons from Orissa that have attended these conferences as Members of Indian delegations, in which year and at what places separately?

The Deputy Minister of Labour (Shri Abid Ali): (a) Ten. All the Sessions were held at Geneva.

(b) As provided in Article 3(5) of the Constitution of the I.L.O.

(c) No. When a representative from a State Government is to be included the State Government concerned is consulted.

(d) and (e). Particulars of members included in the delegations are contained in the Reports of the Indian Government delegations to the International Labour Conference, copies of which are regularly placed on the Table of the Sabha.

Labour Welfare Centres in Orissa

2866. Dr. Samantsinhar: Will the Minister of **Labour and Employment** be pleased to state:

(a) how many and at what places in Orissa Labour Welfare Centres have been established since 1951;

(b) whether any labour welfare centres have been established at Rourkela and Barbil;

(c) if not, what action has been taken to establish these welfare centres in these two places; and

(d) by what time these centres would be opened in the above mentioned places?

The Deputy Minister of Labour (Shri Abid Ali): (a) to (d). The information required is not available.

Impact of Broadcasting on Education

2867. Shri D. C. Sharma: Will the Minister of **Information and Broadcasting** be pleased to state:

(a) whether Government have studied the impact of broadcasting as a means of spreading education and offering entertainment; and

(b) if so, the result of the study?

The Minister of Information and Broadcasting (Dr. Keskar): (a) and (b). It has not been possible for All India Radio to undertake such a comprehensive study on an all-India basis. However, listener research studies of a limited character are undertaken from time to time. These studies broadly indicate that the different programmes put out for general as well as special audiences are serving their entertainment and educative needs according to the objectives of the service.

Pakistani Saboteur

2868. Shri D. C. Sharma: Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that a Pakistani saboteur, Ajyab Bhan, was arrested near the cease-fire line in the Uri sector on the 14th April, 1960;

(b) whether any enquiries have been made from him;

(c) the result of the enquiries; and

(d) the action taken against him?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) Presumably the reference is to Ajib Shah who was arrested by the Jammu and Kashmir Police on April 13, 1960 in the Uri sector. He was wanted in connection with the burglary at P.S. Bijhama in April 1959. Ajib Shah is a notorious Pakistan saboteur, who had previously escaped from custody.

(b) to (d). A case under Egress & Ingress Movement Control Order has been registered against him.

Companies in Marathwada

2869. Shri Pangarkar: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it is a fact that Government have launched prosecution against the Directors of some of the Companies established in Marathwada under section 485 of the Companies Act, 1956;

(b) whether it is a fact that one of the Directors of the Company has brought to the notice of Government about the non-compliance of the provisions of section 485 of the Companies Act, by the Managing Director and the Director has been accused as well as cited as a witness; and

(c) if so, the reasons therefor?

The Minister of Commerce (Shri Kanungo): (a) Directors of only one company established in Marathwada have been prosecuted under section 485 of the Companies Act, 1956.

(b) Yes, but instructions have been issued to omit his name from the list of witnesses;

(c) The complainant director having been one of the transgressors of the law, he has been prosecuted alongwith the other Directors of the Company.

Government Contractors

2870. Shri Arjun Singh Bhadauria: Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) whether there are rules for the blacklisting of Government contractors in the C.P.W.D.;

(b) if so, what are they; and

(c) how many firms have been blacklisted till March, 1960?

The Minister of Works, Housing and Supply (Shri K. C. Reddy): (a) and (b). No specific rules have been framed but certain broad principles have been laid down for the guidance of various authorities. According to these principles a contractor, who indulges in malpractices or has been convicted of an offence involving moral turpitude in relation to business dealings or is brankrupt or is on the verge of bankruptcy is not given Government contracts.

(c) Nine.

State Trading Corporation

2870-A. Shri V. P. Nayar: Will the Minister of **Commerce and Industry** be pleased to state:

(a) what is the special reason, if any, for re-employing retired personnel in higher posts as also in the Board of Directors of the State Trading Corporation;

(b) whether a statement will be laid on the Table showing details of such retired personnel (their names and designations) and drawing monthly emoluments of over Rs. 1,000; and

(c) whether their appointments in the State Trading Corporation have been at the instance of the Board of Directors of the State Trading Corporation or the Commerce and Industry Ministry?

The Minister of Commerce (Shri Kanungo): (a) Retired personnel have been taken on in the Corporation in cases where their previous experience has been found useful to the State Trading Corporation.

(b) A statement is laid on the Table. [*See* Appendix IV, annexure No. 104.]

(c) As regards appointment of Directors of the Corporation, such appointments, in accordance with the Articles of Association of the Corporation, are made by the President.

As regards other higher appointments, these have been made by the Board of Directors subject to the condition that posts carrying an initial salary of Rs. 1,500 or more are filled with the approval of the Commerce and Industry Ministry.

Newsprint

2870-B. Shri Ansar Harvani: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether Government's attention has been drawn to reports published in the Statesman of Calcutta dated the 25th March and 3rd April, 1960 disclosing the seizure of more than fifty lorry loads of newsprint from black-market;

(b) whether it is a fact, as stated in the reports that 'large quantities of newsprint which can be imported either directly or through importers only against licences issued to actual consumers' are being sold in black-market in Calcutta;

(c) whether some of the reels seized by the police had the invoice marks on them;

(d) whether the books of accounts seized from the unauthorised dealers disclose transaction in newsprint amounting to lakhs of rupees; and

(e) whether names of important newspaper concerns in Calcutta have been found in these books?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). Yes, Sir. Some reports have been received.

(c) to (e). The matter is under police investigation and it will not be in the public interest to disclose any information at this stage. I can assure the Hon'ble House that the matter is being thoroughly investigated.

Enclosures in Front of Lower Flats

2870—c **Shri Braj Raj Singh:**
Shri S. M. Banerjee:
Shri D. C. Sharma:
Shri Prakash Vir Shastri:

Will the Minister of **Works, Housing and Supply** be pelased to state:

(a) whether it is a fact that Government have decided to ask the allottees of lower flats of 'G' and 'E' type in New Delhi to remove the enclosures which they have put up in front of their flats at their own cost;

(b) whether it is also a fact that the Deputy Minister has visited some of the colonies in regard to this matter;

(c) if so, the nature of final decision taken; and

(d) the steps being taken for the security, privacy and facility of allottees of lower flats?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) to (d). In view of the difficulties experienced by the C.P.W.D. in maintaining these community lawns, sub-divided and enclosed by some residents of lower flats into private lawns and considering the complaints made by the residents of upper flats, Government decided to have these enclosures removed. When the allottees concerned were called upon to comply with the decision, they represented that their safety and privacy would be affected. The colony of Sarojini Nagar was then visited by the Deputy Minister and the whole matter is being re-examined.

Retrenched Government Employees

2870-D. Shri M. B. Thakore: Will the Minister of **Labour and Employment** be pleased to state:

(a) whether Government propose to employ retrenched Government employees in Government concerns like

Reserve Bank of India, State Bank of India, State Trading Corporation, Indian Refineries Ltd., and National Productivity Council at Delhi; and

(b) if so, the number of persons likely to be absorbed as such?

The Deputy Minister of Labour (Shri Abid Ali): (a) No. Retrenched employees are, however, being continually submitted against vacancies occurring under the Statutory and Quasi-Government Organisations.

(b) Up to the time of reporting about 80 per cent. of those retrenched have been absorbed.

12.02 hrs.

PAPERS LAID ON THE TABLE

AGREEMENT WITH FOREIGN FIRMS REGARDING JEEP CONTRACT

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): I beg to lay on the Table, a copy of the Agreement made between the Government of India and Messrs. S.C.K. (Agencies) Ltd. and two other firms in respect of certain claims arising out of a contract for supply of jeeps. [*Placed in Library. See* No. LT-2132/60.]

STATEMENT CONTAINING BRIEF REPLIES TO VARIOUS ITEMS RAISED IN AUDIT REPORT, DEFENCE SERVICES.

Mr. Speaker: Shri Krishna Menon.

Shri P. K. Deo (Kalahandi): I beg to raise a point of order in this regard.

Mr. Speaker: Point of order on what? On what the Prime Minister has done?

Shri P. K. Deo: No. My point of order is this. Item 1 on the Order Paper is out of order, because it is a novel and unprecedented procedure, and it is a departure from the usual established procedure of this House.

I beg to submit that the usual practice is that the replies are sent to the Public Accounts Committee where they are scrutinised and then they are reported to this House. On no previous occasion did any Minister submit to this House a reply to the audit objections. So, I beg to ask why there should be a departure from the usual procedure in this regard.

Shri Ranga (Tenali): May I have an additional piece of information, as to whether this information has been placed before the Public Accounts Committee and they were given an opportunity of expressing their views?

Shri Jaipal Singh (Ranchi West—Reserved—Sch. Tribes): May I submit that the other day I had raised this point, and then you said that you would not give a decision in a vacuum. The vacuum has now disappeared, and according to me....

Mr. Speaker: I am not raising any particular point of vacuum. The matter has come up now, and that is why I have allowed the point to be raised.

Shri Jaipal Singh: You said that you were not in a position to give a ruling because you did not know whether the hon. Minister would or would not place a statement.

Mr. Speaker: What does the hon. Member want now?

Shri Jaipal Singh: My humble submission is this that anything relating to Audit, *ipso facto* and automatically, goes to the Committee of this House, which is the Public Accounts Committee.

Shri Ranga: That is right.

Shri Jaipal Singh: By resorting to this, we are just using this House as a post office for forwarding things. I think it is not quite a correct procedure.

Mr. Speaker: The hon. Minister.

The Minister of Defence (Shri Krishna Menon): I beg to lay on the Table a Statement containing brief replies to various items raised in the Audit Report, Defence Services, 1960. [*Placed in Library. See* No. LT-2133/60.]

Shri Tyagi (Dehra Dun): Let the point of order be decided first. *Interruptions.*)

Mr. Speaker: No, no. Hon. Members have raised a point of order. If the hon. Minister wants to say anything on that, he may say it.

Shri Krishna Menon: I represented to you that we are not, I am not, seeking to circumvent any of the practices in regard to the Public Accounts Committee. Since this matter has been debated in the House and in the press, in the world's press, it is necessary that the factual statement—this is only a factual statement—should be available to the Members of the House. This does not in any way displace the Public Accounts Committee's proceedings. I have no direct access, so far as I understand, to the Public Accounts Committee as a Minister. When the facts are placed before them, they may submit them to cross-examination. It is not in any way a displacement of the procedure. I sought your consent, which you were good enough to give me.

Shri Ranga: May I submit that this is a procedure which has never been followed ever before? Whatever the Minister has had to say in regard to the observations made by the Auditor-General had to be submitted first of all to the Public Accounts Committee; it is the province of the Public Accounts Committee to give detailed consideration to it, and if necessary, to send for the representatives of the Ministry also and take their assistance and afterwards come to their own conclusions and then approach the House.

Therefore, I request you to rule it out and say that we should not consider that this statement has been submitted to us, but, on the other hand, we would expect the Minister concerned to follow the usual procedure.

Shri Tyagi: May I also submit one thing? The procedure actually has been that even the Auditor-General's report generally goes to the Public Accounts Committee, but this time, the Auditor-General's report has been placed on the Table of the House....

An Hon. Member: No.

Shri Tyagi: The Auditor-General's report has been placed on the Table of the House....

Shri Ranga: It has had to be placed on the Table of the House.

Shri Tyagi: .... Therefore, all the objections raised in that report have been made public. It is but fair that the Government's position must also be placed on the Table of the House. We are not going to consider it here. I could understand this point of order if those replies or answers were going to be considered here in the House; in that case, the point of order would have been quite relevant. But we are not considering them here. It is only a question of their being placed on the Table of the House.....

Shri Ranga: It is not proper.

Shri Tyagi: .... because the House will disperse very soon, and thereafter Members may not be able to avail themselves of those answers. Therefore, I do not think there could be any objection. (*Interruptions*).

Some Hon. Members *rose*—

Mr. Speaker: Order, order. Any hon. Member who raises a point of order must only state the point, and if I want further elaboration, I shall ask him. In this case, I have not only allowed the hon. Member who raised the point of order to have his say, but two other Members also have been

[Mr. Speaker]

allowed to speak on this matter. Then, I have ascertained the views of the other side, namely the hon. Minister. Thereafter, I find that hon. Members go on rising to points of order as if there is no end to this matter. There ought to be an end to this matter. Therefore, I am not going to allow any further discussion on this matter.

Normally, this is not a matter of privilege of this House, but it is a matter of convenience. The reports of the Auditor-General are placed on the Table of the House. They are not sent to the Public Accounts Committee. The agency which places them on the Table of the House is the Finance Minister. The report is sent to the President who sends it on to the Finance Minister who places it on the Table of the House.

Hitherto, since we started in 1947 and even earlier, the practice has been that as soon as a report is placed on the Table of the House, it is sent automatically to the Public Accounts Committee who look into this matter; if further elucidation is necessary, they ask the Ministry to explain; the Auditor-General also is there, and both of them explain their viewpoints, and then it is the Public Accounts Committee that comes to a conclusion. As a committee of this House, they enable us to go into this matter in detail and come to a conclusion regarding this matter. Thereafter, with the report of the Public Accounts Committee and the Auditor-General's report and the accounts also which are there for purposes of reference, the House is enabled to have a full discussion.

But, what happened this year was this. The Auditor-General's report was placed on the Table of the House just a short time before the Demands for Grants relating to the Defence Ministry came up for discussion. Some hon. Members wanted to refer to the Auditor-General's report because the Demands for Grants relating to the Defence Ministry were under consideration. The hon. Defence Minister then said that it was usual to send all this to the Public Accounts Committee where the Ministry will have an opportunity to explain whatever matter is there, if it requires further elucidation. But, hon. Members wanted to refer to the report of the Auditor-General, because, unusually, this year, a short time before the Demands for Grants were taken up, we had the report of the Auditor-General.

Of course, I expect in future that sufficiently in advance, before the Demands for Grants come up before the House, both the Auditor-General's report and the Public Accounts Committee's report will be available here, so that they may be utilised for the purpose of enabling this House to have a full-dress debate on each of the Demands.

For various reasons, the Accounts have not been brought out; of course, the Auditor-General has been taking pains to bring out the Audit Report as early as possible; I am glad to see that they are coming out quickly. But an unusual situation arose this year where just a short time before the Demands were taken up, the Audit Report was there.

The hon. Minister, of course, did not want any reference to be made to it in the House, so that he may have an opportunity to place his facts and whatever doubts there were before the Public Accounts Committee. He even then suggested to me that this might not be allowed, so that he may have an opportunity to place this matter before the Public Accounts Committee. But hon. Members wanted to refer to the Audit Report here and I allowed them to do so.

Shri Ranga: That was a pity.

Mr. Speaker: That was what happened, whether it was a pity or otherwise. If they are consistent, I will also be consistent. It is only a matter of convenience. There is nothing lost. After all, the Government have to explain whether before the Auditor-General or before the Public Accounts Committee or even later, after the Public Accounts Committee's report comes up here. Therefore, nothing is lost. I have looked into it. It is a factual statement of their viewpoint, so far as the Government are concerned—whatever they can place before the Public Accounts Committee. According to them, only one side of the case has been presented. Therefore, I will allow the papers which have been laid on the Table. These papers will go to the Public Accounts Committee. That Committee will consider both the reports and the representations made.

In future, I expect that sufficiently in advance of the discussion here of the Demands for Grants, the Auditor-General will make a report which would automatically go to the Public Accounts Committee. We will have the reports of both the Public Accounts Committee and the Auditor-General, which will enable hon. Members to look into them and make their submissions regarding the Demands for Grants.

This is a matter which arose under peculiar circumstances this year. Therefore, I allow both these papers. I do not think there is any irregularity involved in it. It is a matter of convenience.

Shri P. K. Deo: The same thing happened last year also.

Mr. Speaker: If it happened last year, it was not brought to my notice.

Shri Hem Barua (Gauhati): As a matter of convenience, can we write off the Rules of Procedure?

Mr. Speaker: There is no rule of procedure involved in this matter. The rule is that it goes before the Public Accounts Committee which will examine the papers. The Government must also have their say. As the matter was referred to in advance on the floor of the House, it is just and proper that the Government, with respect to whom observations have been made in the Audit Report, must have as early an opportunity to explain it as possible, lest there should be only one version, according to Government. So there is nothing objectionable in this.

But hereafter I feel that sufficiently in advance of the discussion here both the Audit Report and the Public Accounts Committee's Report should be available to enable hon. Members to discuss in detail the Demands for Grants.

Shri Hem Barua: Are we not setting a precedent for the future?

Mr. Speaker: This may or may not be a precedent. In exceptional cases, we can always do it. The rules are made for us and not we for the rules.

Shri Sinhasan Singh (Gorakhpur): You have just ruled that the statement will be sent only to the Public Accounts Committee, so that it will not come to us now. We have got the Audit Report and we should have a copy of the Government's statement also so that we may also examine it.

Mr. Speaker: All hon. Members who are interested will get copies.

Shri P. K. Deo: I beg to submit that similar facilities should be given to the Railway Minister also because the Audit Report regarding the Railways which has been submitted the other day contains references to irregularities in the Railways also.

Mr. Speaker: I do not know how the hon. Member can speak on behalf of the Railway Minister. The hon. Minister can look after it himself.

PAPERS UNDER AIR CORPORATIONS RULES

The Minister of Transport and Communications (Dr. P. Subbarayan): I beg to lay on the Table under sub-rule (5) of Rule 3 of the Air Corporations Rules, 1954, a copy of each of the following papers:—

(i) Summary of the Budget Estimates of Revenue and Expenditure of the Indian Airlines Corporation for the year 1960-61.

(ii) Summary of Actuals for the year 1958-59 and Budget Estimates and Revised Estimates for the year 1959-60 and Budget Estimates for the year 1960-61 under Capital, of the Indian Airlines Corporation.

[*Placed in Library. See* No. LT-2134/60].

(iii) Summary of Budget Estimates of Revenue and Expenditure of the Air-India International Corporation for the year 1960-61.

(iv) Summary of Actuals for the year 1958-59, Budget Estimates for the year 1959-60 and Revised Estimates and Budget Estimates for the year 1960-61 under Capital, of the Air-India International Corporation.

[*Placed in Library. See* No. LT-2135/60].

AGREEMENT RE: MANUFACTURE OF WATCHES

The Minister of Industry (Shri Manubhai Shah): I beg to lay on the Table a copy of Agreement made between the Government of India and the Citizen Watch Co., of Tokyo for the manufacture of watches.

[*Placed in Library. See* No. LT-2136/60].

NOTIFICATION RE: AMENDMENT TO EMPLOYEES' PROVIDENT FUNDS SCHEME

The Parliamentary Secretary to the Minister of Labour and Employment and Planning (Shri L. N. Mishra): On behalf of Shri Abid Ali, I beg to lay on the Table under sub-section (2) of section 7 of the Employees' Provident Funds Act, 1952, a copy of Notification No. GSR, 452 dated the 23rd April, 1960, making certain amendment to the Employees' Provident Funds Scheme, 1952.

[*Placed in Library. See* No. LT-2137/60].

ANNUAL REPORT OF HINDUSTAN CHEMICALS LTD.

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): I beg to lay on the Table a copy of each of the following papers:

(i) Annual Report of the Hindustan Chemicals and Fertilizers Limited for the year 1958-59 along with the Audited Accounts and comments of the Comptroller and Auditor-General thereon, under sub-section (1) of section 639 of the Companies Act, 1956.

(ii) Review by the Government of the working of the above company.

[*Placed in Library. See* No. LT-2138/60].

AMENDMENT TO DISPLACED PERSONS (COMPENSATION AND REHABILITATION) RULES

The Deputy Minister of Rehabilitation (Shri P. S Naskar): I beg to lay on the Table, under sub-section (3) of section 40 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954, a copy of Notification No. GSR 430 dated the 16th April, 1960, making certain further amendment to the Displaced Persons (Compensation and Rehabilitation) Rules, 1955.

[*Placed in Library. See* No. LT-2139/60].

MINUTES OF PARLIAMENTARY COMMITTEES

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

Sardar Hukam Singh (Bhatinda): I beg to lay on the Table the Minutes of the sittings (Fifty-sixth to Sixty-fifth) of the Committee on Private Members' Bills and Resolutions held during the Tenth Session.

ESTIMATES COMMITTEE

Shri Dasappa (Bangalore): I beg to lay on the Table a copy each of the following Minutes of the sittings of the Estimates Committee:—

(i) Minutes relating to the Seventy-seventh and Seventy-ninth Reports on the Ministry of Commerce and Industry—Small scale industries.

(ii) Minutes relating to the Eighty-sixth Report on the Ministry of Commerce and Industry—the State Trading Corporation of India Ltd.

(iii) Minutes relating to the Eighty-fourth, Eighty-eighth and Ninetieth Reports on the Ministry of Labour and Employment.

ESTIMATES COMMITTEE

NINETY-SECOND AND NINETY-FIFTH REPORTS

Shri Dasappa (Bangalore): I beg to present the following Reports of the Estimates Committee:—

(i) Ninety-second Report on the Growth of Civil Non-Plan Expenditure.

(ii) Ninety-fifth Report on the Ministry of Finance—the Rehabilitation Finance Administration (Reports and Accounts).

12.18 hrs.

CALLING ATTENTION TO A MATTER OF URGENT PUBLIC IMPORTANCE

REPORTED DANGER TO WATER TRANSPORT ON RIVER BRAHMAPUTRA

Shri P. C. Borooah (Sibsagar): Under Rule 197, I beg to call the attention of the Minister of Transport and Communications to the following matter of urgent public importance and I request that he may make a statement thereon:—

"The reported danger facing inland water transport on the river Brahmputra".

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): As the statement I propose to make is a long one, I shall read out a summary and then place the statement on the Table of the House.

Till 1950 river Brahmputra was navigable between Dhubri and Dibrugarh (460 Miles). The earthquake, however, disturbed the river bed levels and shoals have formed at various places. The stretch between Dibrugarh and Desangmukh (46 miles) became unnavigable by deep draughted vessels owing to the heaving up of the river bed.

During the dry season extensive conservancy measures are carried out at Noonkhowa Shoal, Kholabanda and Bangnati. The Joint Steamer Companies carry out the conservancy and they are compensated by the Government as explained in the statement.

I have recently undertaken a river trip from Dhubri to Gauhati and gained a first-hand idea about conservancy and have also discussed this matter at length with Assam Ministers.

Assam Government are contemplating necessary river training works and afforestation in the catchment

[Shri Raj Bahadur]

area to avoid further deterioration in the navigability of the river. The Assam Government has also agreed to grow Alfa grass and Jhou Scrub at various places to stop shifting sands in the river. The Assam Government has agreed that a joint study of the problems of afforestation be made by the State Government, G.B.W.T. Board, I.W.T. Operators and the Central Forest Department.

The Ganga Brahmaputra Water Transport Board is arranging to acquire a dredger for dredging of ghat approaches and bars other than Noonkhowa Shoal. As regards Noonkhowa Shoal. Which lies partly in India and partly in Pakistan, Joint Steamer Companies are being persuaded to purchase a dreger of their own with the suitable loan assistance from the Government to keep this Shoal clear for navigation.

A tentative provision for a bigger dredger for Brahmaputra has also been proposed in the Third Five Year Plan.

There is no grave danger of the river Brahmaputra becoming unnavigable below Desangmukh. With dredging and other measures the navigability of the river will be maintained.

STATEMENT LAID ON THE TABLE

Shri Raj Bahadur: I beg to lay on the Table the detailed statement referred to above. [*See* Appendix IV, annexure No. 105].

Shri P. C. Borooah: May I know the extent of the river which has become unnavigable since the great earthquake of 1950?

Shri Raj Bahadur: I have indicated that. It is 46 miles.

Shri P. C. Borooah: May I know whether dredging will be taken up in between Desangmukh Ghat and Dibrugarh Ghat?

Shri Raj Bahadur: That is a matter which would depend on the availability of the dredger and also the capacity of the dredger to undertake that particular job.

Shri S. C. Samanta (Tamluk): May I know whether any model experiment is going to be undertaken at the Poona Research Institute to know the result that would accrue due to dredging operations?

Shri Raj Bahadur: After my recent trip on the river, I am convinced that there is need for some scientific studies to be made about the conditions and about the behaviour of the rivers, the shoals and bars. The Assam Government have got a River Research Station of their own. Although it has not yet started working in full swing, I believe, some studies would be taken up in this Research Station at Gauhati. Others might have to be taken up at the Poona Research Station also; but that depends upon the Government of Assam. We have discussed this matter with them and, I think, this matter is actively under consideration.

Shri P. C. Borooah: May I know whether the recommendations of the Gokhale Committee with regard to the Brahmaputra are going to be accepted in entirety by Government?

Shri Raj Bahadur: They have also made some recommendations, I think. But in the statement which I have just now laid before the House as a result of my trip and the discussions that we have had, the general conditions are pointed out.

12.22 hrs.

BUSINESS OF THE HOUSE

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): Sir, I have already addressed a letter to you that due to some very urgent engagements the Prime Minister is not in a position to take up the discussion on the Joint Communique in the Lok Sabha during the first half of the sitting tomorrow. I have, therefore, to request you that the Private Members' Business may be taken up after Question Hour tomorrow and the discussion on the Joint Communique be taken up at 3 P.M.

Shri Braj Raj Singh (Firozabad): The Joint Communique is going to be discussed in the Rajya Sabha also. Would that mean that it will be discussed there first?

Shri Satya Narayan Sinha: The discussion there will be after the discussion is over here.

Mr. Speaker: I think the other day when it was suggested that we might have a discussion, the Prime Minister said that it would not be possible for him to be present here on the 27th and 28th—and even on the 29th possibly—on account of prior engagements. But he agreed to the 29th. I think the House will now agree to this; there is no inconvenience.

Several Hon. Members: Yes.

Mr. Speaker: The discussion will be taken up at 3 P.M.

12.23 hrs.

DELHI PRIMARY EDUCATION BILL

Mr. Speaker: The House will now proceed with the further consideration of the following motion moved by Dr. K. L. Shrimali on the 27th April, 1960, namely:—

> "That this House concurs in the recommendation of Rajya Sabha that the House do join in the Joint Committee of the Houses on the Bill to provide for free and compulsory education for children in the Union territory of Delhi made in the motion adopted by Rajya Sabha at its sitting held on the 14th April, 1960 and communicated to this House on the 16th April, 1960 and resolves that the following members of Lok Sabha be nominated to serve on the said Joint Committee, namely, Shri Amjad Ali, Shri M. Ayyakannu, Shri Chuni Lal, Shri Shankarrao Khanderao Dige, Shri V. Eacharan, Shri Aurobindo Ghosal, Shri Kanhu Charan Jena, Shri Nemi Chandra Kasliwal, Shri Chhaganlal M. Kedaria, Shri N. Keshava, Shri Baij Nath Kureel, Shri Nibaran Chandra Laskar, Shri N. B. Maiti, Shri Ram Chandra Majhi, Shri Jiyalal Mandal, Shrimati Minimata Agamdas Guru, Shri R. Govindarajulu Naidu, Shri C. Krishnan Nair, Shri P. K. Vasudevan Nair, Shri Naval Prabhakar, Shri Ram Saran, Shri Devulappali Venkateswar Rao, Shri Bhola Raut, Shrimati Renuka Ray, Shri Birbal Singh, Dr. M. V. Gangadhara Siva, Shri Shraddhakar Supakar, Shri Shiva Dutt Upadhyaya, Shri Atal Bihari Vajpayee and Shri Balkrishna Wasnik."

BUSINESS OF THE HOUSE—contd.

Shri Braj Raj Singh: Sir, with regard to the previous item, you just now announced that the discussion will be taken up at 3 P.M. Could it not be taken up at 2.30 instead of at 3?

Mr. Speaker: If hon. Members get on to the other business immediately after 12 o'clock, I shall start it at 2.30.

Shri Satya Narayan Sinha: Which, Sir?

Mr. Speaker: The hon. Member wants that the discussion on the Joint Communique may be taken up at 2.30 instead of at 3 o'clock. I said I have

[Mr. Speaker]

no objection provided we conclude the previous work at 2.30. We do not generally proceed to the other business immediately after Question Hour. We always take half an hour or so over many other points. And, possibly, tomorrow being the last day the hon. Members may find some matter or other.

Shri Satya Narayan Sinha: Sir, apart from that, the Prime Minister will not be free before 3 o'clock.

Mr. Speaker: Hon. Members themselves would not be prepared to take it up at 2.30.

Now, we shall proceed with the other business. I think the hon. Minister was in possession of the House. He may continue.

DELHI PRIMARY EDUCATION BILL—contd.

श्री प्रकाश वीर शास्त्री (गुडगांव) : अध्यक्ष महोदय आन ए प्वांएट आफ आर्डर सर, यह परम्परा कहां तक न्यायसगत है कि जो विधेयक पहले राज्य-सभा में प्रस्तुत हो उसे फिर लोक-सभा में लाया जाय और उसके स्थान पर क्या यह ठीक परम्परा नहीं होगी कि पहले विधेयक लोक-सभा में लाये जाये और उसके पश्चात् वे राज्य-सभा में जाये?

Mr. Speaker: Does it involve expenditure from the Consolidated Fund?

Hhe Minister of Education (Dr. K. L. Shrimali): I think the matter was considered yesterday and the Deputy-Speaker had given a ruling.

Mr. Speaker: Does this contain a recommendation? There is a financial memorandum also.

Yesterday the matter came up. Though I held that there is not, technically, any objection, I would like a convention to be established, as far as possible, that wherever expenditure from the Consolidated Fund would be necessary as a result of the provisions of the Bill, that Bill may be introduced in this House. Of course, the the other House is competent to have all the Bills other than Money Bills and Financial Bills under article 117(1) introduced there. But, with respect to Bills involving expenditure from the Consolidated Fund also I would like that there should be a healthy convention established. I am only mentioning it to the hon. Minister. Whatever has passed is past. It may be observed for the future.

Dr. K. L. Shrimali: Sir, I was explaining the special features of this Bill. I had already explained that after the scheme was prepared and the parents were notified that they were under an obligation to send their children to schools and after a census of the school-going children had been prepared, attendance orders will be passed. And, unless the attendance authorities were satisfied that there was reasonable excuse for non-attendance of the children of school-going age, the parents would be prosecuted.

Under clause 8 it has been suggested that if the parents did not send their children to schools in spite of the attendance order, they may be prosecuted under clause 12 and they are liable to a fine not exceeding Rs. 2; and, if they continue to contravene, additional fine of 50 nP. per day of absence may be imposed, the total amount of fine, however, not exceeding Rs. 100.

On the face of it, it may appear that in our country this may be an unnecessary hardship on parents. But, at the same time, unless parents realise that they will have to pay a penalty compulsion cannot be effective.

In fact, if we look at the statistics today, we find that there is a great deal of wastage in elementary education. Sixty per cent. of the children who join schools do not complete even the elementary stage. And, if we

want to prevent this tremendous wastage, compulsion has to be introduced. But, the Bill stresses more the educative aspect rather than the penal aspect of it. There is a penalty; but the emphasis throughout the Bill is more on educating the parents—and the public—rather than giving them punishment.

It will be seen that the parents will be approached as many as 4 times. A parent is contacted before the prosecution is launched. First of all, he will be contacted when the list is being prepared; and the parents would understand why these lists are prepared and what the purpose of this Bill is. Then, under clause 5(4), the parents will be served with a notice. They will be told that they have an obligation to send their children to educational institutions. And, then, after enquiry, after the attendance authorities are satisfied that there is no reasonable excuse for the absence of the children, attendance orders will be passed. So, the parents will be approached several times and they will be made to realise that they have an obligation towards the children and towards society. They cannot allow the children to remain neglected. No civilised society can allow their children to remain uneducated or deprive the children of at least the minimum of education. Therefore, even though it may appear there may be some kind of hardship on people, I think there is no other way to make compulsion effective unless there is some kind of penalty.

Another special feature of this Bill is that under section 9 if the child of school-going age is employed in a manner which interferes with his education, some punishment has been provided and there is a fine of Rs. 25. I think this will also prevent the child labour and the exploitation of the children at an age when they are not fit to serve and when they should really spend the time in educational institutions.

In the urban areas cases could be tried by magistrates. But in rural areas, the provision has been made that cases could be tried by village panchayats and with the democratic decentralisation the village panchayats come more and more in the picture. There will be a continuous contact between the village panchayats and the village communities and, therefore, it will be easier for them to administer this provision of the Bill rather than sending the parents to the magistrates. In urban areas, of course, it is inevitable. This is another special feature of the Bill.

As soon as this Bill is enforced, no fee will be charged in any primary school conducted by the Government. But this does not prevent private schools charging fees. Whenever it is found that there is no Government school in a particular area and a private school is running and if the local authorities consider it necessary to send the child to the private school, then the boy or a girl who attends the school will not be charged any fee. The State will meet the expenses.

There is also a provision for grants-in-aid to local authorities. It is not enough to give directions to the local authorities to introduce this legislation. The States must also take the responsibility for giving grants-in-aid to local authorities. Therefore, this Bill makes a provision for giving grants-in-aid to local authorities.

At present we are introducing compulsion for the children of the school-going age of 6 to 11, but the upper age could be increased upto 14. By a regulation we could increase the age upto 14 if we have financial resources.

These are some of the main features of this Bill. At this stage I would not like to take the time of the House. After this Bill is passed, I will come up again with a similar Bill for the other Union Territories. In the meanwhile we will try to speed up compulsory elementary education in these

[Dr. K. L. Shrimali]

areas. After both the Houses have approved of this Bill, we propose to send it to State Governments also so that they may enact a similar legislation in their areas. It will be our endeavour to bring in as many school-going children as possible in the next three or four years. This Bill does not make it compulsory in the whole area. By stages compulsion could be introduced. As we gain experience we could even suggest certain modifications in rules and regulations.

The Bill is now being referred to a Joint Committee and it is for the consideration of the House.

Shri Khushwaqt Rai (Kheri): Sir, I would like to know the difficulties which the Government is experiencing in applying this Bill to all the Union Territories.

Dr. K. L. Shrimali: This Bill is confined to the Union Territory of Delhi only. I have already said that it is our intention to have a similar legislation for the other Union Territories also. The reason why we have not made it applicable to other Union Territories is that it may not be easy to introduce compulsion for tribal areas. Our effort during the next one or two years would be to speed up the progress of education in these areas and then have a similar legislation for other areas also. That is why at present this Bill is confined only to the Union Territory of Delhi. But we hope to introduce a similar legislation for other Union Territories also.

Mr. Speaker: Motion moved:

"That this House concurs in the recommendation of Rajya Sabha that the House do join in the Joint Committee of the Houses on the Bill to provide for free and compulsory education for children in the Union territory of Delhi made in the motion adopted by Rajya Sabha at its sitting held on the 14th April, 1960 and communicated to this House on the 16th April, 1960 and resolves that the following members of Lok Sabha be nominated to serve on the said Joint Committee, namely, Shri Amjad Ali, Shri M. Ayyakannu, Shri Chuni Lal, Shri Shankarrao Khanderao Dige, Shri V. Eacharan, Shri Aurobindo Ghosal, Shri Kanhu Charan Jena, Shri Nemi Chandra Kasliwal, Shri Chhaganlal M. Kedaria, Shri N. Keshava, Shri Baij Nath Kureel, Shri Nibaran Chand Laskar, Shri N. B. Maiti, Shri Ram Chandra Majhi, Shri Jiyalal Mandal, Shrimati Minimata Agamdas Guru, Shri R. Govindarajulu Naidu, Shri C. Krishnan Nair, Shri P. K. Vasudevan Nair, Shri Naval Prabhakar, Shri Ram Saran, Shri Devulappali Venkateswar Rao, Shri Bhola Raut, Shrimati Renuka Ray, Shri Birbal Singh, Dr. M. V. Gangadhara Siva, Shri Shraddhakar Supakar, Shri Shiva Dutt Upadhyaya, Shri Atal Bihari Vajpayee and Shri Balkrishna Wasnik."

I will call those hon. Members who are not in this Committee. Those who are in this Committee will have an opportunity there.

Shri Barrow (Nominated—Anglo-Indians): Mr. Speaker, Sir, I would preface may remarks on this Bill with this thought that this House and the country at large must do a serious re-thinking on the traditional concepts that primary education is the concern of the local authorities with some State support and some State sponsorship. The fact is that the primary education is a national concern and that the elevation of the standards of primary education is a national problem. We have this tragic contradiction today. We have got a national pattern and programme for primary education but we have no national standards. In discussions and deliberations there is excessive zeal shown

for State autonomy and this excessive zeal deprives us of every opportunity of elevating the standards of primary education.

The hon. Minister has rightly stated that this Bill is going to be a model and that he will pass it on to the various States so that they might adopt it for their various territories. It will be for the Joint Select Committee to see whether in fact this eight-page Bill is going to be sufficient to deal with all the aspects of primary education. The Bill is limited in scope. It is limited to compulsory primary education. There are other aspects of primary education which are not within the purview of this Bill and, therefore, I say it will be for the Joint Select Committee to go into all these questions.

Above all these matters, there are certain fundamental things which must come into this Bill. Firstly, we have got the obligation on the part of the parents to send their children to the school. That is an obligation laid down and there are certain penal clauses to enforce it. But we have got no obligation on the part of the State to ensure that are going to be good standards of education. The method for ensuring good standards is going to be difficult. You can work out an educational programme in detail, but that is not going to help you. You can state a philosophy of education, but that is not going to help you. The only means of ensuring that there are good standards of education is to ensure that the teachers have reasonable scales of salaries and that the State accepts responsibility that these scales of salaries are enforced.

I am taking the analogy of the U.K. Education Bill of 1944 because, I believe, the relationship between the Union Education Ministry here and the local authorities is anologous to that between the Education Ministry and the local authorities in U.K. There they ensure not only reasonable scales of salaries but that the teachers participate in the determination of those scales of salaries and the State takes the responsibility to see that these scales of salaries are actually enforced.

Section 89 of the U.K. Education Act, 1944 says:

> "The Minister shall secure that for the purpose of considering the remuneration of teachers there shall be one or more committees approved by him consisting of persons appointed by bodies representing local education authorities and teachers respectively, and it shall be the duty of any such committee to submit to the Minister, whenever they think fit or whenever they may be required by him so to do, such scales of remuneration for teachers as they consider suitable; and whenever a scale of remuneration so submitted is approved by the Minister, he may by order make such provision as appears to him to be desirable for the purpose of securing that the remuneration paid by local education authorities to teachers is in accordance therewith.
>
> (2) The Minister shall nominate the person who is to be the chairman of any committee approved by him for the purpose of this section."

Some such provision should be included in the Bill so that the remuneration of the teachers shall be guaranteed and, if I may make inferences, they should be paid punctually.

Secondly, there is an elaborate scheme and the Central Government may call upon the local authorities to introduce this education in any area. In clause 3(2), the procedure is indicated, but there is no residuary power in this Bill for the Ministry to Act if the local authorities default. You may call upon the local authorities to draw up a scheme but suppose they default to enforce the compulsory education scheme, what can the Ministry do? There is nothing in this Bill,

[Shri Barrow]

no residuary powers, if the local authorities default, to enforce and here I would refer again to the U.K. Act, section 99 in which such powers are laid down:

> "If the Minister is satisfied, either upon complaint by any person interested or otherwise, that any local education authority, or the managers or governors of any country school or voluntary school, have failed to discharge any duty imposed upon them by or for the purposes of this Act, the Minister may make an order declaring the authority, or the managers or governors, as the case may be, to be in default in respect of that duty, and giving such directions for the purpose of enforcing the execution thereof as appear to the Minister to be expedient; and any such directions shall be enforceable, on an application made on behalf of the Minister, by mandamus."

I feel that it will be necessary to have such a provision. Otherwise, in certain areas although the Central Ministry may feel that something should be enforced the local authority may not be prepared to act and the Minister will be powerless to deal with the situation.

Then there is also the question of the evidence of age. Clause 9 of the Bill says that no person shall employ a child in a manner which shall prevent the child from attending an approved school. In these days of child labour, there is going to be a dispute between the Education authority and the persons who are employing them. What evidence of age are we going to have? There is nothing laid down. There should be some means by which evidence of age can be procured and there should also be some provision to enable the courts to use the evidence of age which is brought forward by the local education authority and leave it to the person employing the children to disprove that evidence. That is also included in the U.K. Education Act under sections 94 and 95. They are long sections and I do not want to read them. The sum and substance of it is that they have laid down certain forms of evidence of age which will be produced before a magistrate or a panchayat and it will be for the person who contradicts this to disprove that evidence. Otherwise, there is going to be considerable amount of controversy and perhaps litigation over clause 9 of this Bill. There is no provision in this Bill for returns and reports from the local authorities or about the audit of any grant that is made to the local authorities. All these matters will have to be considered by the Joint Committee in order to make this a comprehensive measure.

Another important and fundamental aspect is that this Bill must say in categorical and unambigous terms the principle that the child must be educated in accordance with the wishes of the parent. This is included in Article 26 of the Declaration of Human Rights. The parents have the right to choose the kind of education that should be given to their children. This right is also included in our Fundamental Rights chapter in Article 29(2). This was agitated in the Bombay High Court. Mr. Justice Chagla held that parents had a right to choose the type of education which they want for their children and this was confirmed by the Supreme Court of India. I will read briefly from that judgment of Mr. Justice Chagla:

> "The child is not the mere creature of the state; those who nurture him and direct his destiny have the right, coupled with the high duty, to recognise and prepare him for additional obligations . . . Once you have an educational institution which is maintained by the State or which receives aid out of State funds, then the State cannot prevent any citizen from having admission into that institu-

tion only on the ground of religion, race, caste, language or any of them."

The Education Minister will refer me to certain clauses in the Bill and say that they had made provision for it. He will probably refer me to clauses 6 and 7 (c). But this principal should be stated in categorical terms. We have agitated this matter before the courts before. If it is put in the Act, it makes it much easier for the officials of the education department to act and it makes it easier for the parents to tell the department: we want our child educated in this way and not in that way. Clause 7 (c) reads:

> ". . . that the child is receiving instruction in some other manner which is declared to be satisfactory by the State Government or by an officer authorised by it in this behalf."

The officer may say: I feel that your child should be educated in the mother tongue; the parent may say that it should be different and in some other medium. In such cases, the educational officer will have the right to say that the child should be educated in this school and not that. If it is clearly stated that the parent has the right to choose the school, then this point will be abundantly clear that the parents' wish must be respected.

I want also to deal with the questions of conditions for the approval of the schools. What conditions are going to be laid down? The Bill is silent on this. Perhaps he will say that this will come in the regulation. The Minister will remember that when the Kerala Education Bill was proposed, it contained the conditions of recognition. The minority communities were able to agitate the matter and got the President to refer it to the Supreme Court for an opinion. As a reult of that certain fundamental principles were laid down by the Supreme Court. The Supreme Court says:

> "The minorities evidently desire that education should be imparted to the children of their community in an atmosphere congenial to the growth of their culture. Our Constitution-makers recognised the validity of their claim and to allay their fears conferred on them the fundamental rights referred to above . . . The right to establish educational institutions of their choice must, therefore, mean the right to establish real institutions which will effectively serve the needs of their community and the scholars who resort to their educational institutions.
>
> "There is, no doubt, no such thing as fundamental right to recognition by the State but to deny recognition to the educational institutions except upon terms tantamount to the surrender of their constitutional right of administration of the educational institutions of their choice is in truth and in effect to deprive them of their rights under Article 30(1). We repeat that the legislative power is subject to the fundamental rights and the legislature cannot indirectly take away or abridge the fundamental rights."

Sir, I would only say here that I would ask the Minister to look at the U.K. Education Act and to study sections 70 and 71 of that Act. They lay down certain conditions under which a school may be deprived of its recognition. The conditions are very liberal, and if they are put in a positive way in an Act—the hon. Minister is a very experienced educationist and I have heard him express the view that there should be as much experimntation in education as possible—and if the conditions of recognition are made as liberal as these, I feel that not only the minority institutions but also other voluntary institutions will enter the field and will improve the standards of our education.

[Shri Barrow]

There is one more thing. Where a school is approved that school should be exempt from local taxes. There is a provision for this in the U.K. Act under section 64. I think it will also help, as I said, voluntary organisations to enter the field of education

Finally, the hon. Minister has already stated that there are so many chances given to parents to make the children attend a school. I would ask him to give a directive to his officers not to enforce the penal provisions but to persuade the parents to send their children to school because, after all, they should seek knowledge and not be hurled into schools just because we have enforced compulsory education.

Mr. Speaker: Shrimati Renu Chakravartty.

Shri Sinhasan Singh (Gorakhpur): Sir, we may also be given a chance.

Mr. Speaker: I shall come to that side also.

Shri Sinhasan Singh: Sir, I have to submit....

Mr. Speaker: I shall give him a chance. I will call Dr. Sushila Nayar next.

Shri D. C. Sharma (Gurdaspur): Sir, I may also be given a few minutes.

Mr. Speaker: He is a professor, I will call him.

Shrimati Renu Chakravartty (Basirhat): Mr. Speaker, Sir, it is quite clear that this particular Bill has roused great interest because this Bill has come not a day too early, rather, it is a demand which has been inscribed in the Constitution and which we have failed to implement so long and, therefore, if anything, it has come too late.

Nevertheless, we are glad that this Bill has come in 1960, although I do not quite understand why this Bill could not have been also introduced for the entire Union territories. The question of our not having enough teachers or enough tribal people to deal with the matter is, I think, an excuse which is always brought forward in order to stall acceleration towards universal and compulsory education, and since the purview of the Central Government is limited to the Union territories at least we should have tried to see that some of the most backward territories should have been given one of the earliest Bills rather than a Bill only in respect of Delhi. Delhi is more fortunate than most of the other States. Therefore, while I am happy that Delhi at least gets the first Compulsory Primary Education Bill, I fell this should have covered all the Union territories.

I have seen, Sir, that in places like Manipur where there are no enough schools, the schools that are there do not get any help from Government. They get no recognition. Therefore, it works both ways. If we accelerate the pace, if the Central Government gives more funds and takes a greater interest in introducing compulsory education, I am sure the other weaknesses that are there, that it is a backward area etc., would really be overcome. I am really sorry that we have not included here all the Union territories like Manipur, Tripura, Laccadives and Andamans. Even if Laccadives and Andamans are left out, for the first stage at least Manipur, Tripura and Himachal Pradesh should have been included, because these are areas where the people feel very deeply that they are always neglected and they have no responsible self-government. Why is it that there are agitations? It is not because some individuals want such agitations, it is because the people there want that their minimum demands with regard to food, education and cloth are met at least in the same way as they are given to people in territories like Delhi. Therefore, I do plead that we should not delay any further the introduction of such Bills in respect of other Union territories as well.

Now, the only excuse that can be put forward is that there are certain financial obligations placed on the local authorities, and it is asked whether the local administrations will be able to bear them. Sir, because those areas are backward we have accepted them as Union territories. As I said, Delhi is fortunate, let us leave out Delhi, Delhi is a category by itself; but take the other Union territories. Under clause 19 of this Bill it is stated that will regard to financial obligation there will be a division between the local administration and the Central Government. I would agree that we should introduce a clause saying that the local administrations should be asked to give a certain percentage, but obviously it will be a very small percentage. A majority of it, whatever be the deficit, will have to be met from the Central Government funds. That is one of the most important things that we shall have to consider when we put forward the demand that compulsory primary education should apply not only to Delhi but also to Manipur, Tripura and Himachal Pradesh.

Having said this, Sir, I would like to say that there is one very important weakness which I have found in this Bill. We are saying that it is going to be compulsory education and it is going to be universal education. In the Bill it is said that by notification an area will be declared to be an area which will have compulsory education. Therefore, when we look at this Delhi Primary Education Bill we at first think that at least the City of Delhi plus the rural areas surrounding it are one spot on the face of India where the entire children will be able to go to school. But actually that is not so. We are being given a Bill where they can diminish the area by notification. Therefore, I feel that the first thing to be done is that the entire area which falls within Delhi should be mapped out geographically and we should have a free primary school in the urban areas at least within three to four furlongs and in rural areas, if the number of children is very small, at least not exceeding a mile. Without that I feel that to implement universal primary education and gurantee free education to children in Delhi will be still a far cry.

There is one other point which is rather important. It has been touched upon in another manner by the previous speaker, and that is about the question of schools which continue to charge for primary education, that is, I suppose, the category which would be called approved schools in areas where there would be other free primary schools. Now, in this I foresee a dangerous position. One of the aims of education, at least for us who have been in the national movement, is a levelling down of unequal opportunities at least in education.

13 hrs.

What is it that we see in our cities? Take, for instance, the city of Calcutta. We have got in Calcutta a very large number of free primary schools run by the Calcutta Corporation. You will see that the children there are sitting on torn mats; there will be hardly any apparatus there. Sometimes there is not even a black-board. Sometimes, you would not see that the teacher has even a chalk. It is a dark, dingy, dismal picture. That is often the picture which we find in the free primary schools run by our local authorities. It is so either because they have not got the money or they are faced with certain other difficulties. On the other hand, we have good schools run by various institutions such as the Missions, private trusts, etc., Though I would not say that they give the best education, for, I am yet to see any institution which really gives the best education which every parent want, but, in any case, the education which these schools give is far, far superior to that which the child, which goes to our free primary school, gets. Therefore, automatically, there are two different categories or standards, as they put it, in the

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matter of primary education. I am afraid this continues a system of stratification: the rich sections who can afford to pay more will have the opportunity to send their children to the best schools; those who can pay only less have got the second-class schools. Finally, those who are really unable to pay or who are very poor and who want their children to be educated can only afford to send their children to the worst type of schools, that is, the local bodies primary schools.

That is why I say that we should not, in a Bill where we are going to introduce free and compulsory primary education, allow two types of schools. Take, for instance, the question of educating our children in a good school. A few years ago, when I wanted to get my son admitted into one of the schools here in Delhi—the Modern School on the Barakhamba Road—the fantastic rates which I saw in the prospectus immediately made me scuttle out. Somebody was telling me that the Bharatiya Vidya Bhavan school is also having such high rates of fees, etc. For instance, the fee is Rs. 15-8-0; then, if the student takes science, there is an extra fee of Rs. 3; sports, Rs. 1-8-0; mid-day meal, Rs. 10. So, unless the parent is able to afford Rs. 30 for a little child of six years, he cannot have his child educated well. If one has three or four children, then such schools are out of bounds for middle class people, leave aside the working classes or the poorer sections.

Of course, the argument that may be advanced in this connection is, "Do you want to lower the standards that are already existing now"? I say that the Government, if it is necessary, should bear the expenditure and try to level up our local, free primary schools, and they should not allow on any account two standards or types of education, at the primary stage. The existence of two or more types goes against the socialist idea completely, and I think that this should not be permitted, once we bring forward a Bill for free and compulsory primary education. I think that there should be a clause—as the speaker who preceded me said—for approved schools, specifying what are the items which a school will have to fulfil in order to get the approval, what standards are to be maintained, etc. In that there should also be this condition, namely, that the primary section should be and must be free. I think that condition is important.

There is one important thing which the Bill has not at all envisaged. That is the root of the problem. Why is it that in our country we are unable to bring about universal and compulsory primary education, free of cost, in all the villages as well as in cities? I think that even in the villages, in recent times, I have seen that every parent wants to send his boy to school—for girls, it is a little different—and that is why there is great demand for new schools to be opened in the villages. That is one of the biggest changes that we have seen nowadays. After land, the next big demand in the villages is for schools. Therefore, the prejudice which was there in the past is no longer there. Yet, what is it that stands in the way of the boys being sent to school? I shall take up the question of girls' education separately. The main reason is poverty. In the cities—at least in my State of West Bengal and I think in most of the cities elsewhere, including cities like Delhi—in the city of Calcutta, especially, I have seen little children in the age-group of 8 to 11 working on some job or other. It is a question of exploitation. I do not want the children to be exploited. I am against child labour, but in a situation where we have not guaranteed work for every able-bodied individual, where we have not given fair wages, in keeping with the cost of living index even today it is absolutely essential—(*Interruption*) in fact, I have seen the children going to work. In the villages, we have got what is called *rakhala*—I do not know how it

is called in Hindi or English. The children are let out to rich people in the villages to tend the cattle all day and work like that for some food and some yearly sum. What is the Government going to do about them? They are generally the children of widows, or the children of agricultural and the labouring classes. These are the kinds of children whom we do not see in the schools. I have seen it in my constituency. These children are doing some work for somebody else. According to clause 9, the poor widowed mother or the agricultural labourer, the father, will fall under this provision under clause 9 which says:

> "No person shall employ a child in a manner which shall prevent the child from attending an approved school."

So, the rich man in the village can certainly to say, "My dear youngster, you will have to go home, because, otherwise, I shall have to pay a fine". This is one of the practical considerations in the cities like Calcutta and in rural areas. There, we have little boys who work in the restaurants—boys aged 9, 10, 11 and 12 or even a little older—serving tea and serving the people in the restaurants.

Mr. Speaker: What is the suggestion of the hon. Member?

Shrimati Renu Chakravartty: I have a very concrete suggestion and that is, we must have part-time and evening schools for earning children.

Shri C. R. Pattabhi Raman (Kumbakonam): Does the hon. Member want different hours for that?

Shrimati Renu Chakravartty: Yes.

Dr. Sushila Nayar (Jhansi): Does she want the parents to continue to exploit those children and make them earn instead of sending them to school?

Shrimati Renu Chakravartty: One could only stop them from exploitation if the parents are given a particular job and if, after that, they continue to exploit, it is another thing. But when the Constitution or the State cannot provide the people with jobs, I am absolutely amazed to see my sister suggesting that it is better for them to starve and they must not work. It is an impossible situation. (*Interruption*).

Shrimati Renuka Ray (Malda): Child labour has to be stopped in the transition period.

Mr. Speaker: Order, order. Hon. Members will have opportunity to speak.

Shrimati Renu Chakravartty: We are all opposed to child labour. We would like the ruling party to pass a law immediately, saying that it is the fundamental right that every single citizen must be given the right of work. But the guarantee of work has not been given, nor even fair wages. If they do that, I shall certainly say that we must immediately ban all child labour. I would be the last person to see a little child of six or eight years of age—they are sometimes the children of widowed mothers who are unable to give the children a morsel of rice or a bit of bread—working on the streets. But when you say that you are not going to allow such children to go and work, what is the alternative? It is death; nothing else. Therefore, it is not simply a question of exploiting but the exploitation of a social system, economic system, and just to talk about such exploitation in the air does not lead us anywhere.

So, I suggest that partime and evening schools should be started, because we want our children to be educated in spite of the fact that they are poor and in spite of the fact that they are being put in a very difficult economic situation for having been born in such poor families. Therefore, part-time and evening schools for earning children should be there. I would suggest that there may be such regional schools and central schools in a city and for the children who are to come to such schools from a distance—the children from the

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poorest of the poor—some transport fees may be prescribed and also evening meals should be arranged. These are some practical suggestions which I think must be taken into consideration. Otherwise, to introduce free and compulsory primary education in a situation where unfortunately many children have to work because of their straitened circumstances would be putting them into very great difficulties.

There are two other things arising out of poverty. We have to consider the question of giving book-stipend to the lower income groups at least once a year. All of us face the situation where so many children come to us saying, "We want to go to school, but we cannot buy our books". I feel this is a very important thing, because without that, compulsion will never succeed. Also midday meals will be a great incentive as well as an improvement of their health.

Another clause which needs scrutiny by the Joint Committee is clause 7(1)(b), which says that exemption may be granted if:

> "(b) that the only approved school within the prescribed distance from the residence of the child to which the child can secure admission is one in which religious instruction of a nature not approved by his parent is compulsory."

I think article 28 of the Constitution lays down the position very clearly. If a school is run by Government, there is no question of religious instruction at all. Article 28 says:

> "(1) No religious instruction shall be provided in any educational institution wholly maintained out of State funds."

That means, moral instruction may be there, but religious instruction in a particular belief should not be imparted in a State-run school. Then,

> "(2) Nothing in clause (1) shall apply to an educational institution which is administered by the State, but has been established under any endowment or trust which requires that religious instruction shall be imparted in such institution.
>
> (a) No person attending any educational institution recognised by the State or receiving aid out of State funds shall be required to take part in any religious instruction that may be imparted in such institution or to attend any religious worship that may be conducted in such institution or in any premises attached thereto unless such person, or if such person is a minor, his guardian has given his consent thereto."

Therefore, according to me, to give exemption in such cases is completely *ultra vires* of the Constitution. We cannot give it, because nobody can run an institution and impart religious instruction without permitting exemption for children to the disapproval of religious instruction. This has been guaranteed by the Constitution not only in the case of aided schools, but even, schools that are going to be recognised by the State.

Mr. Speaker: Does the hon. Member feel that merely because one man refuses to join the religious class, no religious instruction ought to be given in private schools?

Shrimati Renu Chakravartty: They need not attend that religious instruction class. But clause 7(1)(b) makes this an excuse for non-attendance. I say no such case can arise, where a school can insist on the child attending a particular religious class.

Mr. Speaker: In many schools, the management send letters to the parents asking them if they would consent to have their children given religious instruction. Wherever that consent is not specifically given, they have no right to impose religious instruction on the boys.

Shrimati Renu Chakravartty: Clause 7(1)(b) says:

> "(1) For the purposes of this Act, any of the following circum-

stances shall be deemed to be a reasonable excuse for the non-attendance of a child at an approved schools—

(b) that the only approved school within the prescribed distance.... is one in which religious instruction of a nature not approved by his parents is compulsory."

I say that therefore exemption on grounds of religious education being made should not be there.

Mr. Speaker: That cannot be compulsory.

Shri Barrow: Religious instruction can be compulsory in a school which does not take a single pie from the Government. Only children of a particular religion denomination will come to that school and that can be an approved school for those children. (*Interruptions*).

Shrimati Renu Chakravartty: Article 28(3) says:

"No person attending any educational institution recognised by the State or receiving aid out of State funds shall be required to take part in any religious instruction....".

So, neither a school which receives aid nor a school which receives recognition shall make religious instruction compulsory, without the consent of the parents.

Shri C. R. Pattabhi Raman: If a school wants Government aid, it cannot make it compulsory.

Mr. Speaker: For recognition also.

Dr. K. L. Shrimali: I am imagining a type of school where with some understanding with the parents, a school might impart religious instruction. For all practical purposes, as far as these children are concerned, they would say, religious instruction is compulsory in that particular institution. As far as I have been able to understand, our Constitution gives perfect freedom to individuals to arrange any type of education they like. If they are receiving Government aid or run by Government, they cannot make religious instruction compulsory. But under the Constitution, nothing prevents parents to give the type of religious education they like to their children. I am imagining a school where with the explicit understanding of the parents, a school may impart religious instruction. We cannot ask the parent to send his child to that school.

Mr. Speaker: Let us go step by step. Is it open to anybody in a carrier like the railway to prevent anybody from getting into the compartment provided the tickets are there? Likewise, in a public school, whether it is recognised by the State or is receiving Government grant, is it open to the authorities to prevent any boy from coming in because he does not belong to a particular religious denomination? It cannot be done.

Shri Barrow: Article 30(1) gives the right to have educational institutions of one's choice.

Mr. Speaker: Nobody prevents Roman Catholic instruction being given in a Roman Catholic school. But it does not mean, if it is recognised, that you can prevent any other boy from studying there and refusing to attend the Roman Catholic class. Articles 28 and 30 have to be read together. Is that what the hon. Member says?

Shrimati Renu Chakravartty: Yes, Sir.

Mr. Speaker: No school can be recognised or given State aid if there is insistence on a particular boy coming and attending a religious class. That is the import of article 28(3).

Dr. K. L. Shrimali: There are three types of institutions. Firstly, an institution wholly maintained by the State, where obviously there can be no religious instruction; another that is privately aided and is financed partly through the funds of Government. That also cannot refuse ad-

[Dr. K. L. Shrimali]

mission to any child. But I am imagining of a third type of school where a community with some kind of arrangement makes religious instruction compulsory. It is not receiving any Government aid. A particular community may maintain this institution—whether Hindu, Christian or any other community—entirely with the fees which they receive from the parents and they can make some kind of explicit arrangement with the parents to give religious instruction. The Constitution does not deny the citizens the right of giving the type of education which they like, provided it shall not receive funds from the Government. We cannot force a child to go to such an institution if the religious instruction imparted there is not acceptable to the parent of that child. That is the exemption which is being sought by the clause. This matter will be examined thoroughly in the Joint Committee. Of course, as far as I have been able to understand, there is nothing which prevents the school from making religious instruction compulsory.

Mr. Speaker: The hon. Member says that a distinction is made between aided schools and recognized schools, and both aided and recognized schools. Now, a school may be only aided or only recognized. In either case, there cannot be any compulsion that any particular boy should attend the religious class, unless the guardian consents to that specifically. Under article 30 you cannot discriminate against a school which is started for a denominational purpose. That does not mean that whoever attends that school must be compelled to undergo religious training. That is what Shrimati Renu Chakravartty has pointed out.

Shrimati Renu Chakravartty: This is a very serious matter which I should bring to the notice of the hon. Members. This is opening the gate for getting exemptions on very flimsy grounds which are not warranted even by the Constitution. Therefore I think this should not be done.

Not only that. In sub-clause (g) also the attendance authority is given full right of exemption by a very vague clause which refers to "other compelling circumstances". What those "other compelling circumstances" are, we do not know. Unless you define that term, it can be interpreted to mean ill-health, distance from the house, this and that. Unless you specifically define it, you would be making it a very big source of corruption to the attendance authorities.

Shri C. R. Pattabhi Raman: It may mean physical disability or mental disability.

Shrimati Renu Chakravartty: They are covered by the Act itself. Then there is a clause which reads:

> "If the State Government is satisfied that it is necessary or expedient so to do in the public interest or that circumstances exist which render it necessary so to do, it may, by notification in the Official Gazette, exempt any class of persons or any community in any specified area from the operation of any of the provisions of this Act."

I do not understand why we should give this blanket power to the State Government to exclude any community. Which community does not require education, I should like to know? We want every caste, community and every religious sect, whatever they may practise, the first and the fundamental right to education. Because, one of the important necessities for efficient functioning of democracy is a real fight against casteism and against religious bigotry. But here we are giving by this clause a community or a class of persons exemption from the provisions of this Act. This is a very wrong thing.

[Shrimati Renu Chakravartty]

[Mr. DEPUTY-SPEAKER in the Chair]

13.30 hrs.

I do not know what the Government have in view in having this provision. Why should they give power to the State Governments to grant exemptions to a class of persons? Do you want the poorer classes to be exempted? Or do you want the tribes or gypsies to be exempted? Actually they can get a fixed abode, they are the people who need elementary education most.

Dr. K. L. Shrimali: As far as Delhi is concerned, this could be removed. I do not think in Delhi there is any community which we want to exempt. But, as I said in the very beginning, I am also thinking of this legislation as a kind of model legislation and, as my hon. friend has pointed out, there are many communities, particularly tribal communities and gypsies. It will not be possible to bring this into effect in their case immediately. We will have to improve their economic conditions, we have to educate them before. Otherwise, they will revolt against this.

Shrimati Renu Chakravartty: I am not convinced by what the Minister has stated, because this relates to primary education, not secondary education or higher education. The tribal people and the gypsies are the most backward people and they need primary education. So, we should not give these blanket powers to the State Governments to exempt any class of persons or community by means of a notification in the Official Gazette.

Then, in the clause relating to rule-making powers, there is a provision which says that the State Government may, by notification in the Official Gazette, declare:

> "the classes or standards of education in and up to which shall be considered as primary education."

The hon. Minister has stated that he has probably in mind that when we go up beyond the 11 year age group he will not have to come to Parliament. Parliament wants it to be done immediately for the age group 6 to 14, because that is embodied in the Constitution. But I want to see that at least there is no downward reversion and it is not circumscribed by any provision. I am one with him when he says "I want such powers so that I need not have to come to Parliament again when I want to raise the age group". But here you are giving outright powers to the States to either raise or circumscribe the classes and age constituting primary education. How do we know that after five years you may not bring a notification saying that you shall provide education only for the age group 6 to 9? So, I think this requires clarification.

Then, the salaries of primary school teachers should be improved, and they should be paid promptly and regularly. In the State of West Bengal there are instances where the primary school teachers have not received their salaries for six months. If you treat them in that manner, how can you expect them to carry on? How can you expect them to keep up the standards?

These are very important matters which should be provided for in this Bill. I hope the Joint Committee will go into it very closely and improve upon it and when it really emerges from the Joint Committee it will be a practical and model piece of legislation.

डा० सुशीला नायर (झांसी): उपाध्यक्ष महोदय, मुझे सब से पहले शिक्षा मंत्री महोदय को हार्दिक बधाई देना है कि वह यह बिल सदन के सामने लाए हैं। बहुत अरसे से हम लोगों ने इस बात का चर्चा किया है कि अपने यहां हम हर एक बच्चे को शिक्षा देंगे और फ्री एंड कम्पलसरी एजूकेशन दाखिल करेंगे। हमारे कांस्टीच्यूशन का यह अंग है, मगर हम वह कर नहीं पाए हैं। पहला कदम है और वह पहला कदम शुरू हो रहा है गवर्नमेंट आफ इंडिया की छत्रछाया के नीचे, इस दिल्ली की यूनियन टेरीटरी में, जहां गवर्नमेंट आफ इंडिया सारे निज़ाम को चला रही है। यह छोटा सा कदम है। सही कदम है, बहुत

[डा० सुशीला नायर]

आवश्यक कदम है और मुझे आशा है कि बहुत जल्दी इस प्रकार का इन्तजाम सभी यूनियन टेरीटरीज में ही नहीं, हिन्दुस्तान को सभी स्टेट्स में भी किया जायेगा। आखिर हम ने यह तय किया है कि १९६५ तक हम ने सब बच्चों को प्राइमरी शिक्षा देना है, मगर मुझे आश्चर्य हुआ अपनी बहन श्रीमती रेणु चक्रवर्ती की दलीलें सुन कर, जो यह चाहती हैं कि जब तक सारे समाज का ढांचा न बदल जाये, हर प्रकार का एक्सप्लायटेशन खत्म न हो जाये, तब तक बच्चों का एक्सप्लायटेशन भी जारी रहे। आखिर शिक्षा को ही आप ले लीजिए। अगर शिक्षा को सफल बनाना है, तो उस के लिए मां-बाप को शिक्षा भी आवश्यक है, ऐडल्ट एजूकेशन भी आवश्यक है। तो क्या हम यह कह सकते हैं कि जब तक हम एडल्ट एजूकेशन का इंतजाम न कर दें, हर एक मां-बाप को हम शिक्षा न दे सकें, तब तक हम बच्चों को शिक्षा न दें? यह हम नहीं कर सकते हैं। सारे समाज के लिए कई-एक सुविधायें हम को चाहिएं। सारे समाज को भर पेट खाना मिले, यह हम चाहते हैं, लेकिन क्या हम सारे समाज को स्कूल में हॉट लंच देने की बात सोचते हैं? हम बच्चों को, स्कूल चिल्ड्रन को ही हाट लंच देने की बात सोचते हैं, क्योंकि जब समस्या बहुत बड़ी हो जाती है, तो उस को हल करने के लिए खास खास ग्रुप्स को चुनना पड़ता है, जिन की तरफ़ हम को ज्यादा तवज्जह देनी पड़ती है और यहां हम ने बच्चों को चुना है, अर्थात् सब से पहले बच्चों का एक्सप्लायटेशन खत्म हो। अगर बहन श्रीमती रेणु चक्रवर्ती की बात मानी जाये और प्राइमरी एजूकेशन के लिए भी इवनिंग क्लासिज चलाई जायें, तो मुझे विश्वास है कि बहुत से मां बाप अपने बच्चों को स्कूल में नहीं भेजेंगे। वह स्वयं भी अपनी दलीलों में बहुत ज्यादा विश्वास नहीं रखतीं, इस लिए वह उठ कर चली गई हैं। तो मैं उन को बताऊं क्या कि उन की दलील में कितना खोखलापन है? वह शायद स्वयं समझ गई कि भूल में उन की जबान से यह बात निकल गई। कम्यूनिस्ट पार्टी में रहते हुए वह इस बात का समर्थन करें कि चाइल्ड लेबर जारी रहे जब तक कि सारे समाज में एक दूसरा आर्थिक और सामाजिक ढांचा कायम नहीं हो जाता, यह एक आश्चर्य की बात है, इतना ही मैं कह सकती हूं।

मैं समझती हूं कि दिल्ली की यूनियन टेरीटरी में कोई ऐसी क्लासिज या कम्यूनिटीज नहीं है, जिन को इस कानून में एग्जेम्प्शन देनी चाहिए, लिहाजा इस बिल में जो धारा १८ रखी गई है, उस को निकाल देना चाहिए, इस बारे में मेरे मन में जरा भी शंका नहीं है। हम चाहते हैं कि एक एक बच्चा यहां पर शिक्षा प्राप्त करे। देहातों में भी स्कूल हैं, शहरों में भी स्कूल हैं और जहां जहां काम किया गया है मेहनत से, चाहे वह ग़रीब से ग़रीब तबका हो, स्लम एरिया हो, स्वीपर्ज कालोनी हो, वहां पर भी अक्सर नब्बे परसेंट बच्चे स्कूलों में जा रहे हैं। ऐसी परिस्थिति में किसी भी ग्रुप को, क्लास या कम्यूनिटी को एग्जेम्प्शन देने की बात रखने का सवाल ही नहीं उठता। लिहाजा मैं आशा रखती हूं कि इस धारा १८ को इस बिल में से निकाल ही दिया जायेगा।

मुझे लगता है कि अगर हम इस बिल का फ़ायदा उठा लें और फ़ायदा उठा कर बच्चों के वैलफ़ेयर के लिए चन्द एक आवश्यक बातें इस में और दाखिल कर दें, तो उचित होगा। मिसाल के तौर पर हम इस में यह रख दें कि स्कूल में एडमिशन के समय बच्चों को वैक्सीनेशन सार्टिफिकेट पेश करना होगा। दूसरे देशों में यह किया जाता है। अगर इस प्रकार की एक धारा हम इस में दाखिल कर देते हैं, तो हम अपने बच्चों को स्मालपाक्स से बचा सकते हैं। स्मालपाक्स से जो बच्चे अन्धे हो जाते हैं, उन को भी हम बचा सकते हैं। लिहाजा मैं चाहती हूं कि इस बिल में हम एक दो प्राविजन्ज ऐसे रख दें, जिन से

बच्चों का कुछ कल्याण हम कर सकें । आज स्कूल में बर्थ-सर्टिफिकेट तो बच्चों से मांगा ही जा रहा है और जिन बच्चों के पास बर्थ सर्टिफ्रिकेट नहीं होता, उन से कहा जाता है कि वह किसी मोतबिर आदमी के दस्तखत से ऐसा सर्टिफ्रिकेट लिखवा कर लायें । वैक्सीनेशन सर्टिफ्रिकेट पेश करने की प्रथा अभी तक चालू नहीं हुई । उस को भी अगर हम शुरू करें तो बहुत अच्छा होगा ।

हरिजनों, शिड्यूल्ड कास्ट्स और शिड्यूल्ड ट्राइब्ज के लिए तो हम ने किताबें वग़ैरह खरीदने के लिए मदद देने का तय कर रखा है । जो स्कालरशिप्स इस बारे में दिए जाते हैं, वे फीस और किताबों दोनों को कवर करते हैं । मैं समझती हूं कि अगर मंत्री महोदय इस बिल में एक ऐसा भी प्राविज़न कर दें, जिस से एक खास इनकम ग्रुप के बच्चों को इस सम्बन्ध में एक लिमिट लगाई जा सकती है कि सौ रुपए से कम कमाने वालों के बच्चों को किताबों के लिए मदद दी जायेगी, तो मां-बाप के लिए यह बहुत आसान हो जायेगा । खासकर उस प्रकार के बच्चों के लिए जिन का ज़िक्र श्रीमती रेणु चक्रवर्ती कर रही थीं, जिन की विधवा मां है, जिसके पास अपने बच्चों को पढ़ाने के लिए साधन सुविधा नहीं है, किताबों वग़ैरह की सुविधा देना हमारे लिए आवश्यक है ।

जो एग्ज़ेम्प्शन क्लाज़ेज़ हम ने रखी हैं, उन में एक जगह यह कहा गया है कि जिस बच्चे का कोई अंग भंग है, या जिस की मानसिक स्थिति ठीक नहीं है, जो मैनटली डिफेक्टिव है उस को स्कूल जाने से रोका जा सकती है, यानी उस को एग्ज़ेम्प्शन दी जा सकती है इस कानून से । मैं समझती हूं कि मंत्री महोदय को, बजाये इस के कि वह इस बिल में एग्ज़ेम्प्शन दाखिल करें, ऐसे खास प्रकार के बच्चों के लिए खास प्रकार की एजूकेशन की सुविधायें पैदा करने का निश्चय करना चाहिए, ताकि हमारे जो फिज़िकली हेंडीकैप्ड बच्चे हैं, उन को भी शिक्षा से वंचित न रखा जाये । उन को तो शिक्षा की और भी ज्यादा ज़रूरत है, क्योंकि एवल बाडिड आदमी तो जा कर मेहनत-मज़दूरी कर सकता है, जो ये बच्चे नहीं कर सकते हैं । ऐसे बच्चे बड़े हो कर समाज पर बोझा बन जायेंगे, अगर हम उन के लिए शिक्षा का प्रबन्ध न कर सके ।

इस में यह भी लिखा गया है—

"that there is any other compelling circumstances which prevents the child from attending school, provided the same is certified as such by the attendance authority."

मैं नहीं जानती कि जब फिज़िकल डिफ़ेक्ट का ज़िक्र इस में कर दिया बीमारी का ज़िक्र कर दिया, टेम्पोरेरी लीव की बात कह दी, तो उस के बाद और कौन से कम्पेलिंग सर्कमस्टांसिज़ हो सकते हैं, जिन की कि हम ने यहां पर छूट रखी है । मुझे डर है कि इस छूट के कारण से बैकडोर से बहुत से एग्ज़ेम्प्शन हमारे सामने आ सकते है । आखिर गांव में तो हम ने पंचायत को रखा है फैसला करने के लिए । तो अगर किसी जगह पर पंचायत में बहुत पढ़े लिखे लोग न हों, तो वे शायद बहुत ज्यादा एग्ज़ेम्प्शन देने लगेंगे । इस प्रकार की एक खुली आम क्लाज़ को या तो हटा दिया जाये, या इस को महदूद कर दिया जाये, इस को डिफाइन किया जाये, ताकि इस तरह खुले तौर से बच्चों को इस क्लाज़ के कारण शिक्षा से वंचित रखने की सत्ता किसी इन्सान या किसी दूसरी अथारिटी के पास न हो । मैं समझती हूं कि धारा ६ में जो यह व्यवस्था की गई है कि बच्चों को कोई इस प्रकार के काम में न लगाए, जो कि उन को स्कल जाने से रोक सके, वह बहुत ही अच्छी और आवश्यक व्यवस्था है । अगर बच्चों को काम करने की ज़रूरत ही हो, तो वे कसी ऐसे वक्त पर काम कर सकेंगे जिस से उन की शिक्षा में बाधा न हो, जैसे दिल्ली में कुछ बच्चे शाम को ईवनिंग न्यूज़ बेचते हैं । इसी तरह कोई प्रातः काल

[डा० सुशीला नायर]

काम करे, तो वह भले ही करे, लेकिन बच्चों से इस प्रकार का काम लिया जाये कि वे दिन में काम करें और सांझ को स्कूल में जायें, यह बच्चों के लिए मुनासिब नहीं हो सकता, क्योंकि सांझ के वक्त बच्चों को सोना चाहिए। मैं निवेदन करना चाहती हूं कि यह छोटे बच्चों की बात है, प्राइमरी स्कूल की बात है। मैं समझती हूं कि बड़ी क्लासिज़ के लिए ईवनिंग क्लासिज़ की आवश्यकता है और आवश्यकता रहेगी। खासकर उन बच्चों के लिए, जो बचपन में स्कूल नहीं गए, बड़े हो गए, और प्राइमरी स्कूल में बैठना नहीं चाहते ऐसे बच्चों के लिए, ओल्डर एज ग्रुप के लिए ईवनिंग क्लासिस रखें, मगर जो एज ग्रुप हमने रखा है, उसके लिए ईवनिंग क्लास मैं समझती हूं रखना मुनासिब नहीं है और इतना ही नहीं वह हानिकारक भी सिद्ध होगा। लिहाज़ा वह न रखा जाए तो बहुत अच्छा होगा।

एक बात मुझे और कहनी है और वह किताबों के बारे में है। मैं समझती हूं कि किताबों वगैरह के लिए डिज़र्विंग कैंडीडेट्स को स्कालरशिप्स दिये जाते हैं। यह अच्छी बात है। मगर इसके साथ ही साथ किताबों में आजकल जो व्यापार चलता है, जो एक प्रकार का वह पैसा कमाने का ज़रिया बन गया है, उसकी तरफ़ भी माननीय मंत्री महोदय का ध्यान जाना चाहिये। मैं आशा करती हूं कि वह इसके बारे में मुनासिब कार्रवाई करेंगे। क्या कारण है कि ये जो स्कूल की किताबें हैं हम नैशनलाइज़ न करें। हम अच्छी से अच्छी किताबों को चुन सकते हैं और ऐसा करने के लिए हम कम्पीटीशन रख सकते हैं। लोग अपनी किताबें सबमिट करें और जो अच्छी से अच्छी किताबें हों, उनको आप सिलैक्ट कर सकते हैं और उसके बाद स्वयं आप उनको पब्लिश करें उन को कुछ भी इनाम दे दीजिये, या कापी-राइट वगैरह कर के कुछ भी दे दीजिये लेकिन यह जो रोज़मर्रा किताबें बदलती रहती हैं, ये नहीं बदलनी चाहियें। आज देखा जाता है कि अपनी किताबें चलवाने के लिए रोज़मर्रा किताबें बदलवाने की कोशिशें चलती रहती हैं यह हानिकारक है। एक ही फैमिली में एक बच्चा पढ़ता हो तो उसकी जो किताबें हैं उन से छोटा भाई नहीं पढ़ सकता क्योंकि रोज़मर्रा किताबें बदल जाती हैं। दिल्ली में अलग अलग ज़ोंस हैं और अलग अलग ज़ोंस में अलग अलग किताबें लगी हुई आपको देखने को मिलेंगी। इसका एक डिसएडवांटेज यह भी रहता है कि अगर कोई पेरंट्स एक जोन से दूसरे जोन में जा कर रहने लग जाते है तो उनको अपने बच्चों के लिए नई किताबें खरीदनी पड़ती हैं। यह अत्यन्त ही खराब और हानिकारक बात है और मैं समझती हूं कि इस चीज़ को दुरुस्त किया जाना चाहिये। यह देखा जाना चाहिये कि बच्चों की टैक्स्ट बुक्स लोगों के लिए पैसा कमाने का ज़रिया न बनायें। इसके लिए मैं चाहती हूं कि माननीय मंत्री महोदय उचित कदम उठायें और उनको अगर इस बिल में ही रख दिया जाए तो बहुत ही मुनासिब और अच्छी बात होगी।

अब मैं एग्जेम्पशंस के बारे में कुछ कहना चाहती हूं। रिलिजस एजुकेशन का भी उसमें ज़िक्र किया गया है। इसमें कहा गया है कि अगर वहां पर ऐसी रिलिजस एजुकेशन मिलती है जो कि मां बाप को पसन्द नहीं है तो वे बच्चों को चाहें, तो स्कूल न भेजें। यह बात मुझे बहुत पसन्द नहीं आई है। मैं समझती हूं कि मां बाप वहां पर जो स्थानिक स्कल है, वहां पर अगर अपने बच्चों को किसी भी कारण से भेजना नहीं चाहते हैं तो उनका यह फर्ज़ होना चाहिये कि वे दूर के स्कूल में उनको भेजें। इसके अलावा मैं समझती हूं कि स्टेट और लोकल आथोरिटी का यह फर्ज़ है कि ऐसे स्कूल खोले जिस में कि हर एक का बच्चा जा सके। मैं यह भी समझती हूं कि जो भी एजुकेशनल इंस्टीट्यशंस होती हैं, उनको ग्रांट मिलती हो या न मिलती हो,

कुछ न कुछ उनके साथ सम्बन्ध सरकार का रहता है और सरकार अपनी सत्ता का क्या इतना इस्तेमाल नहीं कर सकती है कि वह उन से कह दे कि जो बच्चे आपकी रिलिजस शिक्षा न लेना चाहें, उनको आप मजबूर करके रिलिजस शिक्षा न दें? मैं समझती हूं इसमें कोई कठिनाई नहीं होनी चाहिये और आप ऐसा कर भी सकते हैं। सातवीं धारा में जो एग्जेम्पशंस दी गई हैं उन पर मैं समझती हूं रोक लगनी चाहिये। इतनी ज्यादा एग्जेम्पशंस नहीं दी जानी चाहिये। हम इस काम की दिल्ली से शुरुआत कर रहे हैं। दिल्ली के बाद जब आप बाहर जायेंगे तो आपको एग्जेम्पशंस वगैरह देनी पड़ेंगी, मगर दिल्ली में मैं नहीं समझती कि कोई भी इनमें से छूट लागू होती है जो कि आपने यहां रखी हैं। इस वास्ते मैं मंत्री महोदय से प्रार्थना करती हूं कि वह इसके बारे में ध्यान दें और साथ ही साथ ज्वायंट सिलैक्ट कमेटी से भी प्रार्थना करती हूं कि वह इस पर विचार करे और इन एग्जेम्पशंस को जहां तक हो सके, निकालने का प्रयत्न करे।

इन शब्दों के साथ मैं मंत्री महोदय को इस बिल को लाने के लिए फिर से मंत्री जी को बधाई देती हूं और मैं इसका हृदय से समर्थन करती हूं।

Shri C. R. Pattabhi Raman: As has been pointed out, this Bill has come not a day too early. For, under article 45 in Part IV of the Constitution, we have solemnly undertaken as follows:

> "The State shall endeavour to provide, within a period of ten years from the commencement of this Constitution, for free and compulsory education for all children until they complete the age of fourteen years.".

That is the great duty and solemn obligation that we have laid upon ourselves. It is no doubt true that article 37 makes it clear that the principles laid down in this Part IV, namely the Directive Principles of State Policy are not enforceable in any court. But they are the guiding stars by which not only the Union Government but all the State Governments must have their course, so far as the provision for education of children and youth is concerned.

It is no doubt true that enough priority has not been given to education as such; rather, it was given but not to the extent that most of us would have liked. But, then, it is only 13 years since we attained freedom, and we have now got a written Constitution, and it is a very satisfying thing that at least now, a beginning has been made.

I am glad also that this scheme is being inaugurated more or less in Delhi. As in the case of the land ceilings Bill, the rajadhani must give the lead. I hope the deliberations of the Joint Committee will result in the provision of a model scheme for the whole of the country.

It is true also that free and compulsory education is obtaining already in many parts of India. For example, Kerala has been the pioneer in this field. Practically 90 per cent. of the children there, between the ages 6 and 14 attend school, and even without compulsion, and what is more important is that mid-day meals are provided there at many places, and rudimentary equipment and books also are given to the children. I am sure this will be the beginning, and similar provision will be made throughout the country.

Having said that, I shall now come to clause 9 in this Bill which contains a very salutary provision namely:

> "No person shall employ a child in a manner which shall prevent the child from attending an approved school.".

I was rather surprised at Shrimati Renu Chakravartty pleading exemption on the ground that children help their mothers in the rural areas. That is true, and we must take account of that, but that should not be the thin end of the wedge to cut the ground under the entire scheme. It is always

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possible to find some excuse to prevent a child from going to school. In that case, the mother must be provided with some other employment, or as has been stated in the Upper House, there must be some sort of annuity or some provision for old age, or at least, some sort of other work must be provided for the mother in all such cases, and not exemption for the child. दानेषु विद्यादानं has been the great creed of India. Of all the *danas*, *vidyadana* is the most important *dana*. In every convocation address, we always find great men appealing to the students: 'You have learnt at State expense, and you have equipped yourself. It is your duty to see that the brethern around you, the children around you, the unfortunate and poor children around you are also educated. You must help in the education of those childrent'. I sincerely hope that this scheme will not flounder on account of there not being a sufficient number of teachers. You can always have part-time teachers. You can have the wives of professional men, such as doctors etc. and even the wives of people serving in the factories, or even those workers outside the factory hours, for, if they are working in the night shift, they can teach during the daytime. In this way, so many part-time teachers can be made available. Immediately, you must have an army of teachers. Such of them as take it up as a living must be provided with good salaries. That is very important.

It is a great tragedy that in India, the teaching profession is neglected, so far as salary and emoluments are concerned. It is not so elsewhere. Actually, one of the Supreme Court judges in the U.S.A. was a teacher. He was not even a lawyer, but he was only a jurist; as a jurist, he became a judge. In Russia also, the teachers have the highest priority and the highest recognition.

In our country also, the guru always had a great place, but it is only recently that on account of historical reasons the teachers, the teaching profession, including the professors, have been relegated, if I may say so, to an inferior position, so far as emoluments and other convenience are concerned.

They must be given good houses. Unless teachers live near the schools and in comfortable houses, they would not be available for good teaching purposes.

I have even pleaded for an All-India Service, so far as the teaching profession is concerned. I wish to repeat that the teachers should be given all the facilities, and we must have an army of teachers, so far as primary education is concerned.

It is true that in this Bill, there is no compulsion on the local bodies, as Shri Barrow has pointed out. There seems to be also some sort of exemption, so far as classes are concerned. I would appeal to the hon. Minister and to the Joint Committee to consider this matter about any community being exempted or any class being exempted. I know the hon. Minister was referring to Adibasis and some other tribes, but I think that does not apply to the city of Delhi. This sort of exemption for a class of persons or for a community will be fatal to the Bill which envisages universal, free and compulsory education.

The great advantage in this education is this. Firstly, the students are at the most impressionable age. That is the time when they will collect all impressions; their character would be formed and strengthened during this stage. Secondly, what is very important is this. As far as possible, in keeping with the socialist pattern of living and our ideals, we must see to it that the rich and the poor, the so-called high castes and the so-called lower castes all these must sit together, especially when they are very young, and learn at the feet of the teacher. Therefore, anything which encourages all these people joining together and learning in these insti-

tutions should be encouraged. It is a tragic sight now that the young children are being exploited for the purpose of begging or for the purpose of watching cars at twelve o'clock in the night or one o'clock in the night near the cinemas and theatres. This sort of thing will stop once you have compulsory education. This must be the thin end of the wedge, so far as the reform of children is concerned.

Shri Warior (Trichur): After school hours, they can go for that work.

Shri C. R. Pattabhi Raman: I am coming to that point. After the school hours, they can help in augmenting the income of the family. But even there, if you have a school-going child under the compulsory scheme, watching motor cars and being busy till one o'clock in the night, you are not going to enable that child to read properly the next morning; it is impossible. You must see to it that not only the child goes to school for marking attendance, but is also able to imbibe the education properly. If you handicap the child otherwise, or if you keep it working under conditions of sweated labour, so to say, it will not be able to read properly. For instance, they are making biris now; it is a crying shame that all these biri-makers are children, small girls and small boys who are doing this work in the dark and at night. Similarly, I learn also that the lace-workers in U.P., in Lucknow and other places, were all small children. If they work till late hours during the night and in the early morning, how do you expect them to read properly? Therefore, such a thing should not be allowed. You cannot give something by one hand for preventing the exploitation of these youngsters and take it away by the other. I am sure Shri Warior does not want that to happen. Therefore, it must also be part of the scheme that some sort of rudimentary help is given with regard to books.

Then there is the question of mid-day meals. We are getting so much aid by way of milk and other foodstuffs. We must see to it that the mid-day meals scheme is also encouraged and children are provided with mid-day meals.

So far as disabled children are concerned it is no doubt true that there is a provision in the Bill—I am referring to clause 7 (1) (e)—which says that a child who suffers from a physical or mental defect which prevents him from attendance can be excused from attendance. A child may be mentally or physically defective which may prevent the child from attending these primary schools. But that is all the more reason why some special schools should be there for these children so that they may not be a drag on their families as well as on society.

We can always correct errors and shortcomings in the Bill that may be noticed. There was a little discussion with regard to religious instruction in schools. In this respect, we are governed by articles 28, 29 and 30 of the Constitution. Under article 28(1), we have provided that no religious instruction shall be given in any educational institution which is wholly maintained out of State funds. This is but proper because ours is a secular State. We have also said that nothing in article 28(1) shall apply to an educational institution which is administered by the State but has been established under any endowment or trust. I am glad to find Shri Barrow nodding assent. It is quite possible; there can be an endowment or a trust which envisages such education.

I want to draw the attention of Shrimati Renu Chakravartty to one thing. Under article 29(2), no citizen shall be denied admission into any educational institution maintained by the State or receiving aid out of State funds on grounds only of religion, race, caste, language or any of them. That cannot be prevented. We have had a case in the Supreme Court. We are well aware of it. Shri Frank Anthony argued it for Shri Barrow's

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community. It is true that you can have an institution which does not depend on State aid completely. They can do what they like; they may be able to do that. It is just possible that under the equality clause it may be struck down some way or the other. But the fact remains that article 29(2) is there.

With these observations, I conclude. I have no doubt that the Joint Committee will go into the Bill carefully and see to it that universal, free and compulsory primary education is provided throughout India.

Mr. Deputy-Speaker: Shri Mohan Swarup. The time-limit of 10 minutes has not been observed by speakers till now. I hope hon. Members will pay attention to it now.

श्री मोहन स्वरूप (पीलीभीत) : उपाध्यक्ष महोदय, यह खुशी की बात है कि इस बिल को यहां पर उपस्थित किया गया है । जो चर्चा इस पर चली है उसको मैंने बड़े ध्यान से सुना है । इस विषय पर मैंने बड़ा गौर किया है और मेरा विचार यह है कि प्राइमरी एजुकेशन ही नहीं बल्कि जो सेकेंड्री एजुकेशन भी है, वह भी फ्री होनी चाहिये । इसके साथ ही साथ मैं यह भी समझता हूं कि कुछ वोकेशनल इंस्टीट्यूशंस भी होनी चाहियें इनके साथ ही साथ । इसका कारण यह है कि आज की जो शिक्षा है वह मनुष्य को बेकारी की ओर ले जाती है । आदमी को पढ़ लिख चुकने के बाद करने के लिए कोई काम नहीं मिलता है । वह कुछ जानता भी नहीं है । इसका नतीजा यह हो रहा है कि बेकारी दिन-प्रति-दिन बढ़ती जा रही है । मेरी धारणा शिक्षा के बारे में यह है कि प्राइमरी एजुकेशन के साथ ही साथ हायर सेकेंड्री एजुकेशन भी कम्पलसरी और फ्री होनी चाहिए । जहां तक यूनिवर्स्टी एजुकेशन का सम्बन्ध है, वह केवल टेलेंटिड लोगों को ही मिलनी चाहिए । उनके लिए टैस्ट होना चाहिए और अगर वे टैस्ट में पूरा उतरें तभी उनको यूनिवर्स्टी शिक्षा मिलनी चाहिए ।

प्राइमरी शिक्षा एक बुनियाद होती है, फाउंडेशन होती है और इसलिए मैं चाहता हूं कि उसका स्टैंडर्ड ऊंचा होना चाहिए । लेकिन आज देखने में आ रहा है कि जो प्राइमरी एजुकेशन है, उसका स्टैंडर्ड गिरता जा रहा है । हमारे जो बुजुर्ग थे वे हमसे अच्छा जानते हैं, हिसाब, हिन्दी, इंग्लिश, जो कुछ भी उन्होंने पढ़ा है, उसको वह हम से ज्यादा अच्छा जानते हैं । हम से ज्यादा ज्ञान उनका है । आज मुश्किल की बात यह है कि किताबें बहुत ज्यादा होती हैं लेकिन ज्ञान नहीं हो पाता है । दूसरी डिफिकलटी यह है कि किताबें हर साल चेंज हो जाती हैं । मैं माननीय मंत्री जी की तवज्जह इस तरफ दिलाना चाहता हूं कि हम लोग जब पढ़ते थे तो हमारी जो किताबें होती थीं, उनको हमारे भाई बहन इस्तेमाल कर लिया करते थे और वे इतनी जल्दी चेंज नहीं होती थीं । लेकिन आज हर साल किताबें तबदील हो जाती हैं । यह जो मोनोपली है, जैसा कि डा० सुशीला नायर ने कहा है, यह खत्म होनी चाहिए . . . .

चौ० रणवीर सिंह (रोहतक) : ज़मीन की मिलकियत भी बदल जाती है, किताबों की क्या बात है ?

श्री मोहन स्वरूप : इसके साथ ही साथ मैं यह भी कहना चाहता हूं कि टीचर्स का जो स्टैंडर्ड है वह भी ऊंचा होना चाहिए । आज प्राइमरी स्कूलों के या दूसरे जो टीचर्स हैं, उनकी कोई इज्जत नहीं है, उनका कोई सम्मान समाज में नहीं है । उनको थोड़ी सी तनख्वाह मिलती है जिसमें उनका गुज़ारा होना भी मुश्किल होता है । अगर वे खेती न करते हों या कोई और काम न करते हों, तो उनका गुज़ारा भी नहीं हो सकता है । वैदिक युग में, पुराने ज़माने में टीचर्स की एक क्लास थी । गुरु द्रौणाचार्य थे या और लोग थे । उनको एक स्थान समाज में मिला हुआ था । उनकी समाज में बड़ी प्रतिष्ठा थी । लेकिन आज टीचर्स की कोई इज्जत नहीं है. . . . .

श्री राम सेवक यादव (बाराबंकी) : सब को वह नहीं पढ़ाते थे ।

श्री मोहन स्वरूप : मैं चाहता हूं कि आज टीचर्स की भी एक क्लास हो । उनका कारेक्टर ऊंचा हो, उनमें योग्यता हो, उनका स्तर ऊंचा हो । सरकार का यह फर्ज है कि वह उनको हर तरीके से सैल्फ-सफिशेंट बनाये ताकि उनकी जो तवज्जह है वह ज्यादातर शिक्षा की तरफ जाये, पेट भरने की तरफ ही न हमेशा जाती रहे । यदि ऐसा हुआ तभी प्राइमरी एजुकेशन जो है या दूसरी एजुकेशन जो है, उसका स्तर ऊंचा हो सकता है ।

अब मैं बिल के बारे में कुछ कहना चाहता हूं । बिल में प्राइमरी एजुकेशन की जो परिभाषा की गई है, वह साफ नहीं की गई है । वह साफ होनी चाहिए । प्राइमरी एजुकेशन के साथ साथ हायर सैकेंड्री को भी इसमें शामिल किया जाना चाहिए । इस वक्त भले ही हायर सैकेंड्री एजुकेशन फ्री देने का प्रबन्ध आप न कर सकें, लेकिन अगर आपने इसको इसमें शामिल कर दिया तो यह चीज आपके दिमाग में तो हमेशा रहेगी और जब भी मुम्किन हो सकेगा आप इसको कर सकेंगे ।

इसमें सैक्शन ४ में कहा गया है

"Children of either sex or both sexes."

इसमें कुछ एम्बीगुइटी है । मैं चाहता हूं कि आइदर सैक्स काट कर बोथ सैक्सिस लिख दिया जाना चाहिए । जहां आज यह जरूरी है कि लड़के शिक्षा प्राप्त करें, वहां यह भी जरूरी है कि लड़कियां भी शिक्षा प्राप्त करें । मैं समझता हूं कि ज्वायंट कमेटी इस पर अवश्य विचार करेगी ।

इसमें बहुत सी एग्जेम्पशंस भी दी गई हैं । इनमें से बहुत एग्जेम्पशंस बेकार में दी गई हैं । इन सब एग्जेम्पशंस के रहते इस बिल का मकसद पूरा हो सकेगा, इसमें मुझे सन्देह है । आदमी कोई न कोई बहाना या एक्सक्यूज निकाल लेगा और उस तरह से यह बिल बिल्कुल बेकार हो जायेगा मैं समझता हूं कि एग्जेम्पशंस जितनी भी कम होंगी, उतना ही अच्छा होगा ।

अभी चाइल्ड लेबर के सिलसिले में भी चर्चा हुई है । मैं इसका समर्थक नहीं हूं कि छोटे बच्चों को लेबर में लगाया जाये । इस तरह से उनसे काम लेना, उनकी एनर्जी को वेस्ट करना है । लेकिन इसके साथ ही साथ यह भी निवेदन करना चाहता हूं कि जो गरीब लोग हैं, जो हैल्पलैस लोग हैं, वे कुछ न कुछ अपने बच्चों से करवायेंगे । यह ठीक है कि शिक्षा के लिए कोई पैसा उनको नहीं देना पड़ेगा । लेकिन किताबों के लिए खर्चा तो उनको करना ही पड़ेगा । अगर हम किताबों के लिए कुछ इस बिल में प्रोवाईड नहीं करेंगे कि किताबें भी हम उनको देंगे तो उनको इनको खरीदने के लिए पैसा तो चाहिए । चूंकि उनके पास रोजी का कोई साधन नहीं है, जो वे कमाते हैं, उससे पूरा नहीं पड़ता है, इस वास्ते वे बच्चों से काम करवाते हैं । इस वास्ते मैं चाहता हूं कि इस किस्म के स्कूल हों कि जिन में डबल शिफ्ट चले, मार्निंग से दोपहर तक एक शिफ्ट और दोपहर से शाम तक दूसरी शफ्टि, फिर नाइट शिफ्ट हो । कुछ वोकेशनल इन्स्टिटयूशन्स हों प्राइमरी दर्जे के जिन में कि आर्टिजन या इसी प्रकार की शिक्षा दी जाय । अगर यह सुबह से दोपहर तक चलें तो बच्चे दोपहर तक वहां काम कर सकते हैं, उस के बाद कोई और काम कर सकते हैं, कोई रोजगार कर सकते हैं । इसलिए जहां यह बात की जा रही है, मैं चाहूंगा कि इस तरह के स्कलों की स्थापना हो यानी डबल शिफ्ट स्कूल्स, नाइट स्कूल्स और वोकेशनल स्कूल्स ।

इस के साथ साथ इस में कुछ फाइन्स की बात कही गई है सेक्शन १२ में कि अगर कोई पेरेन्ट अपने बच्चे को स्कूल नहीं भेजता है तो उस पर २ रु० तक फाइन हो सकता है, उस के साथ ही साथ जब तक नहीं भेजता है तब तक ५० नये पैसे पर डे और फाइन हो सकता है, नाट एक्सीडिंग रुपीज १०० । १०० रु० तक की लिमिट रखी गई है ।

[श्री मोहन स्वरुप]

लेकिन मैं समझता हूं कि यह जो १०० रु० की लिमिट रखी गई है वह बहुत ज्यादा है। इसे ५० रु० होना चाहिए था।

इस के कम्पेरिजन में सैक्शन १३ में यह है :

"If any person contravenes the provisions of section 9, he shall be punishable with fine which may extend to twenty-five rupees"

14 hrs.

इसके जवाब में २५ रु० कर दिया गया। कहां १०० रु० और कहां २५ रु० ? मैं समझता हूं कि फाइन्स के मामले में बहुत ज्यादा फर्क है, इन दोनों में कुछ समन्वय होना चाहिए, एकरूपता होनी चाहिए। मैं चाहता हूं कि जब ज्वायेंट कमेटी बैठे तो फाइन्स के ऊपर भी गौर करे।

जो सेक्शन १४ है उस में कुछ जुडिशल पावर्स की बात है। जहां पर पंचायत राज ऐक्ट का जूरिस्डिक्शन है वहां पर पंचायती अदालत को यह पावर दी गई है। मैं सोचता हूं कि इस मामले में जूडिशल पावर्स का इस्तेमाल ज्यादा अच्छा नहीं होता। जहां तक शिक्षा का ताल्लुक है यह एक सामाजिक चीज है कोई जुर्म की चीज नहीं है। यह कोई पेनल आफेन्स का मामला नहीं है।

चौ० रणबीर सिंह (रोहतक) : पढ़ाना तो धर्म है।

श्री मोहन स्वरुप : पढ़ाना धर्म तो जरूर है लेकिन इस चीज में ऐसा कह देना कोई अच्छी चीज नहीं है। मैं चाहता हूं कि बजाय पंचायती अदालत के इस को ग्राम पंचायत के नीचे कर दिया जाय। मुझे ठीक पता नहीं है, लेकिन शायद यू० पी० में १० रु० तक फाइन करने का अख्त्यार है। १० रु० तक फाइन के अलावा २ आ० पर डे और कर सकते हैं। तो मैं चाहता हूं कि बजाय पंचायती अदालत के ग्राम पंचायत को पावर्स दे दी जायें कि वह इस चीज को कंट्रोल करे। जहां पर ग्राम पंचायतें नहीं हैं, वहां पर म्यूनिसिपैलिटीज को पावर्स दे दी जायें कि वह इस की देख रेख करें। इस के अन्दर जो जुडिशल चीज रखी गई है वह अच्छी नहीं मालूम होती।

इसी के साथ साथ मैं एग्जेम्शन्स के बारे में भी कुछ कहना चाहता हूं। अगर एक आदमी बीमार हो या डिसेबल हो तो उसके लिए भी मैं चाहता हूं कि प्रबन्ध किया जाये। जो डेफ ऐंड डम्ब स्कूल्स हैं उन की संख्या बढ़ाई जाय। अगर वह आज सिर्फ देहरादून में या एक आध और जगहों पर हैं तो उन से काम नहीं चल सकता। आज इस तरह के बच्चों की संख्या बहुत काफी है जो अन्धे हैं या चल नहीं सकते हैं और इस कारण से आसानी से शिक्षा नहीं पा सकते हैं। उन के लिए भी प्राइमरी स्तर पर गांवों में ऐसा प्रबन्ध होना चाहिए ताकि उन्हें इस की सहूलियत मिल सके।

इसी के साथ साथ मैं चाहता हूं कि इस चीज को हायर सेकेन्डरी स्टेज तक बढ़ा दिया जाये। साथ ही जो सेंट्रली ऐडमिनिस्टर्ड एरियाज हैं मसलन हिमाचल प्रदेश है, अन्डमन और निकोबार द्वीप हैं, लकाद्वीप है, उन को भी इस के जूरिज्डिक्शन में लाया जाये।

इन सुझावों को रखने के बाद मैं इस बिल का स्वागत करता हूं। बहुत अर्से के बाद गवर्नमेंट को यह खयाल पैदा हुआ, इसके लिए भी मुझे बड़ी खुशी है।

श्री सिंहासन सिंह : उपाध्यक्ष महोदय, इस अधिनियम का स्वागत करते हुए मैं एक बार पुनः आप को कल की रूलिंग के बारे में याद दिलाना चाहता हूं जो कि सिर्फ आप के विचार के लिए है। यह अधिनियम भी राज्य सभा में प्रेषित हुआ, यहां नहीं हुआ। आप के रूल्स के अन्दर लिखा हुआ है . . . .

श्री त० ब० बिट्ठल राव (खम्मम्) : प्वाइंट आफ आर्डर है ?

श्री सिंहासन सिंह : प्वाइंट आफ आर्डर नहीं है । यह सिर्फ उपाध्यक्ष महोदय के कंसिडरेशन के लिए है ।

उपाध्यक्ष महोदय : आप के लिए सिर्फ दस मिट हैं, अगर आप इसी पर कहेंगे . . .

श्री सिंहासन सिंह : मैं बहुत जल्दी इस चीज को खत्म करूंगा । रूल्स में लिखा हुआ है :

Shri D. C. Sharma (Gurdaspur): The point of order should have been raised when the Bill was taken up for consideration. (*Interruption*).

Mr. Deputy-Speaker: Even during his speech, if an hon. Member wants to discuss any point of law, he is perfectly entitled to do that. But he has only 10 minutes.

Shri Sinhasan Singh: I refer to rule 69 of the Rules of Procedure. It lays down that if any Bill involves any kind of financial expenditure it shall be presented in a certain manner and clauses involving expenditure shall be in bold type. This Bill has been presented in that manner; and clause 19 is printed in bold type.

My submission is that this Bill is covered by article 117(1) of the Constitution. Article 117 consists of two portions. One is the introduction and the other is consideration of the Bill. The President has not given permission for the introduction of this Bill in the Rajya Sabha; he has given permission for consideration. The Bill says:

> "The President has, in pursuance of clause (3) of article 11 of the Constitution of India, recommended the consideration of the Bill by the Rajya Sabha."

It is not for introduction. I want to point ont this distinction between consideration and introduction. Sub-article (3) only says that no Bill involving any expenditure from the Consolidated Fund of India shall be considered by any House without the previous recommendation of the President. So, the President only gave permission for consideration of the Bill by the Rajya Sabha, and not for introduction. But this Bill is covered by sub-article (1) of article 117. It says:

> "A Bill or amendment making Provision for any of the matters specified in sub-clauses (a) to (f) of clause (1) of article 110 shall not be introduced or moved except on the recommendation of the President and a Bill making such provision shall not be introduced in the Council of States:"

So, my submission is that this Bill is covered by article 117 (1) It is not a Money Bill. Money Bill is quite a different thing. This Bill only involves a financial liability and money has to be drawn out of the Consolidated Fund of India. And, any Bill, which, in any way involves any financial liability cannot be introduced in the Rajya Sabha.

But the ruling is there; and I submit only that you will please reconsider it and see that in future, if my position is correct, no such thing happens. Only in this House can such a Bill be introduced and not in the Rajya Sabha because this House alone has the right to consider Bills involving any financial liability.

Now, coming to the Bill, I submit that the Bill has come in the eleventh year of the Constitution. But article 45 provides that within 10 years provision shall be made for compulsory education for children. I am only sorry to submit that the hon. Minister has conceived very late; and I do not know whether this conception will also end in some fructification.

अब मैं कुछ हिन्दी में कहूंगा । स्वतंत्रता के ११वें वर्ष में भी इस विधेयक का जो स्वरूप है वह इतना कमजोर और हल्का है कि शायद इस से आप को उतनी सफलता प्राप्त नहीं होगी जितने की आप आकांक्षा करते हैं । सेक्शन ३ में इस चीज को लोकल अथारिटी पर छोड़ दिया गया है :

> "Any local authority may, by resolution, declare its intention...."—

[Shri Sinhasan Singh]

Not that it is compulsory to declare.

गवर्नमेंट इसमें हैल्प करेगी । और दूसरे सबक्लाज में है :

"Any local authority, if called upon by the State Government.. ...."

इतनी खराब स्थिति है इस के अन्दर कि कब आप इस को लागू करेंगे और कब नहीं करेंगे, इस की कोई चिन्ता नहीं है । एक वर्ष के अन्दर यह कानून दिल्ली में इंट्रोड्यूस हो जायेगा या नहीं, इस के बारे में क्लास १ बिल्कुल मौन है । इसलिए हम नहीं कह सकते कि कांस्टिट्यूशन के लागू होने के १० वर्ष के बाद भी ११वें वर्ष में इस कानून को लागू किया जायेगा या नहीं । हमारी कल्पना सही रूप में कार्यान्वित होती या नहीं, इस के अन्दर इस का कोई जिक्र नहीं है । मेरा खयाल है कि ज्वायंट कमेटी जो इस बिल पर विचार के लिए बैठेगी और जिसके कि सामने यह जायेगा वह कम से कम इसका रूप बदलेगी और वह गवर्नमेंट को यह सलाह दे और आदेश करे कि यहां यहां यह लागू हो और कहां कहां वह मदद करे क्योंकि जहां पर यह लागू होगा गवर्नमेंट को रुपया देना पड़ेगा ।

दूसरी बात यह है कि इस विधेयक की धारा ६ की जैसी शब्दावली है वह भारतीय संविधान की धारा २४ से टकराती है क्योंकि संविधान की धारा २४ में यह कहा गया है कि १४ साल से कम उम्र का कोई भी लड़का किसी फैक्टरी या माइन में या किसी अन्य हैजर्ड्स एम्पलायमेंट में इनगेज नहीं किया जायेगा लेकिन इस बिल के क्लाज ६ में आपने ऐसा कहा है :—

"No person shall employ a child in a manner which shall prevent the child from attending an approved school."

आपने कहा है कि कोई आदमी किसी बच्चे को इस तरह से एम्पलाय नहीं करेगा ताकि उसके एप्रूव्ड स्कल को अटेंड करने में बाधा आये जिसका कि मतलब यह हुआ कि अदर-वाइज एम्पलाय किया जा सकता है । अब कहीं किसी ने एम्पलाय किया और आप ने उसके लिए धर पकड़ की और कोई धनी मानी हुआ और वह उसके खिलाफ हाईकोर्ट में अपील ले कर चला गया तो जैसे कि आपके विधेयक में शब्दावली है हो सकता है कि आपका यह विधेयक हाईकोर्ट से अल्टरावायरस डिक्लेयर हो जाय क्योंकि आर्टिकल २४ कहता है कि वह फैक्टरी अथवा माइन में एम्पलाय नहीं किया जायगा तो वह अपील में यह प्ली ले सकता है कि घर तो फैक्टरी नहीं है । इसलिए मेरा ज्वाएंट कमेटी को यह सुझाव है कि वह इस में ऐसी व्यवस्था कर दे ताकि अगर कोई शख्स किसी १४ वर्ष से कम उम्र के लड़के को घर के किसी काम पर लगाये तो उस लड़के को पढ़ाना उसके लिए लाजिमी होगा । वह उसके पढ़ाने का माकूल इन्तजाम करे और घर के काम में लगा हुआ वह बच्चा भी प्राइमरी शिक्षा हासिल कर सके और वह उससे महरूम न रह जाय ।

दूसरे मैंने इस बिल में चारों तरफ यह भी खोजने की कोशिश की आया इसमें ऐसे बच्चों की पढ़ाई के लिए भी कोई निश्चित व्यवस्था है जो कि अनाथ है क्योंकि आपने हर जगह यही लिखा है कि उसके लिए पेरेंट को नोटिस देंगे लेकिन ऐसे बच्चे जिन के कि पेरेंट्स का पता नहीं और बहुत से ऐसे लड़के हैं जिन को कि घर से उड़ा दिया जाता है और जिन के कि मां बाप का पता नहीं रहता उन के वास्ते क्या पढ़ाई की व्यवस्था होगी ? अब क्रिमिनल प्रोसीज्योर कोड के अनुसार बच्चों से जो भीख मंगवाई जाती है तो उस के लिये जो भीख मंगवाते हैं उन की धर पकड़ की जा सकती है । अब जहां तक उन की पढ़ाई की व्यवस्था करने का

ताल्लुक है इस में कोई ऐसा प्राविजन रखना चाहिये ताकि ऐसे बच्चे जिन के कि मां बाप का पता न हो तो ऐसे बच्चों का राष्ट्र पिता है और यह राष्ट्र की और स्टेट की जिम्मेदारी होनी चाहिये कि वह ऐसे बच्चों को उन स्कूलों में तालीम दिलवाने का माकूल बंदोबस्त करे । मौजूदा बिल के अन्दर इस का कहीं प्राविजन नहीं है । मैं आप से अनुरोध करूंगा कि ऐसे अनाथ और लावारिस बच्चों को पकड़ कर सरकार उन को स्कूलों में भरती करवाये और उन की पढ़ाई का स्वयं बंदोबस्त करे और यदि ऐसा किया जायगा तो आज जो उन बच्चों से भीख मंगवाई जाती है वह भी बन्द हो जायगी । आज तो पुलिस वाले पकड़ते हैं उन बच्चों को जिन से कि भीख मंगवाई जाती है और अभी दिल्ली में कई पकड़े गये हैं और पेपर में निकला भी है लेकिन अगर आप उन लड़कों की पढ़ाई की जिम्मेदारी अपने ऊपर ले लेंगे तो यह भीख मांगना भी उन का बन्द हो जायगा ।

अब इस में माइनारिटी और मेजारिटी का सवाल नहीं है और ऐसे स्कूल जहां पर पढ़ाना चाहते हों वहां आप पढ़ायें लेकिन अगर किसी क्षेत्र में स्कूल न हो और उस क्षेत्र में स्कूल के दाखिले के लिये लड़के हों तो फिर उन गरीब लड़कों को अन्य स्कूलों में दाखिल कराने की व्यवस्था की जानी चाहिये । और उन स्कूलों में यदि कोई फीस ली जाती हो तो स्टेट उन की फीस का प्रबन्ध करे, फीस कम कराये अथवा माफ करवाये । जहां पर स्कूल न हों और ऐसे पिछड़े क्षेत्र के रहने वाले गरीब लड़कों को पढ़वाने के वास्ते अन्यत्र स्कूलों में इंतजाम किया जाय । इस के अतिरिक्त ऐसे क्षेत्रों में जहां कि स्कल नहीं हैं आप को नये स्कूल खुलवाने की व्यवस्था करनी चाहिये ।

इसलिये मैं समझता हूं कि यह जो कुछ कमियां इस बिल में हैं उन को अगर आप पूरा कर देंगे तो यह बिल काफी हद तक अपने लक्ष्य को हासिल करने में कामयाब हो सकेगा । मैं ने जैसाकि आप ने चाहा था दस मिनट से अधिक का समय नहीं लिया है और मैं आप के द्वारा घंटी बजाये जाने के पूर्व ही अपना स्थान ग्रहण करता हूं और मैं उम्मीद करता हूं कि यह विधेयक जब ज्वाएंट करेटी के पास से हो कर इस सदन में आयेगा तो जैसाकि मैं ने इस के बारे में सुझाया है और कमियों को दूर करने की ओर संकेत दिया है, उन को ध्यान में रखते हुए इस में उचित परिवर्तन कर दिया जायगा और ऐसा होने पर ही सही मायनों में आप का जो यह प्राइमरी शिक्षा अनिवार्य रूप से और निःशुल्क रूप से लागू करने का इरादा है उस में आप कामयाब हो सकेंगे ।

Mr. Deputy-Speaker: The hon. Member has again referred to the Point of Order that he had raised before to which I have given a ruling in accordance with the decision that was already taken by the hon. Speaker here more than once. There are three kinds of Bills. The Article 110 refers to the definition of what a Money Bill is. It does not describe how it would be introduced and all that. That is a different thing. Here, only the definition is given as to what is a Money Bill. That is described in Article 110.

There is Article 117 which deals with special provisions as to financial Bills. A financial Bill may be a Money Bill or it may not be a Money Bill.

Shri Sinhasan Singh: For a Money Bill, Article 109 is there.

Mr. Deputy-Speaker: That is a different provision. There are two kinds of financial Bills. One kind of financial Bills are covered by Article 117(1) for which it is laid down specifically that they shall not be introduced or moved except on the recommendation of the President. They are one kind of financial Bills under Article 117(1). Then, there is the other kind of financial Bills which are

[Mr. Deputy-Speaker]

described in Article 117(3) which says:

"(3) A Bill which, if enacted and brought into operation, would involve expenditure...."

It may not contain any provisions specifically as to the expenditure or withdrawing of money from the Consolidated Fund of India. It may only provide for a provision for the appointment of some officers or other persons which would certainly involve expenditure from the Consolidated Fund. So, any such cases where a Bill has provisions which incidentally would ultimately result in the expenditure are covered under Article 117(3). This Bill also would be covered under Article 117(3) and not under Article 117(1). There we are all agreed, I suppose.

Shri Sinhasan Singh: But the Memorandum says that it involves a substantial amount of Rs. 188 lakhs and an additional expenditure of about Rs. 50 lakhs annually.

Mr. Deputy-Speaker: It would not be determined by what the Financial Memorandum says, but what the provisions are. It does say that it would involve expenditure but it does not contain specifically any conditions for taking out that money from the Consolidated Fund or spending that money.

Shri T. B. Vittal Rao: From where will the money come?

Mr. Deputy-Speaker: Certainly from the Consolidated Fund. It will not come from any other source. That is the only source. So far as Article 117(3) is concerned, there are many rulings that have been given already and I have to follow them. If the hon. Member has any grievance he might submit it to the Hon. Speaker. Otherwise, he will help me in following those decisions which have been given by the Hon. Speaker himself.

पंडित मुनीश्वर दत्त उपाध्याय (प्रतापगढ़) : उपाध्यक्ष महोदय, मेरे मित्र ने अभी शंका प्रकट की है कि आया यह योजना जोकि मंत्री महोदय ने उपस्थित की है उस के सम्बन्ध में दरअसल वह कुछ करना चाहते हैं या नहीं या जैसा ढीलापन इस में रहता आया है और दस वर्ष बीत गये वैसी अब भी स्थिति है। उन्हों ने यह शंका प्रकट की। सम्भव है इन शब्दों को देखने से उन को यह शंका हुई हो जिस शब्दावली का हवाला उन्हों ने दया है परन्तु मैं समझता हूं कि अब यह विधेयक जो हमारे सामने आया है उस के सम्बन्ध में मंत्री महोदय दरअसल करना चाहते हैं कुछ जल्दी से हमारे कम से कम इस एरिया में ऐसे क्षेत्र में जहां कि यह उन्हों ने विधेयक को उपस्थित किया है। मैं वैसे कोई बोलने का इरादा नहीं रखता था। जब मैं ने देखा कि यह विषय आ रहा है तो एक, दो बातें मैं इस में कह देना आवश्यक समझता था। इस में कोई सन्देह नहीं है कि फ्री और कम्पलसरी एजुकेशन का प्रयास किये जाने पर प्रायः हम विचार करते हैं और कहीं कहीं इस का तजुर्बा भी किया गया है परन्तु इस तजुर्बे में जो एक, दो बातें, एक, दो बड़ी बाधायें आईं उन बाधाओं पर विशेषकर ध्यान देना आवश्यक है। ऐसी योजनायें जहां कहीं चलाने का हम ने प्रयास किया वह दो विशेष बाधायें हमारे सामने उपस्थित हैं। एक बाधा तो यह थी कि जब ऐसी योजना चलाई जाय तो उस में जो धन का व्यय होता है जो फंडामेंटल एम्पलीकेशन्स उस की होती है उस के पूरा प्रबन्ध करने की पूरे तौर पर व्यवस्था नहीं की गई है।

आप इस विषय को अगर देखें इसी विधेयक में जो आप के सामने उपस्थित है तो आप देखेंगे कि जहां कहीं पर ऐसी शिक्षा चलाने का प्रबन्ध करेंगे काफी पैसा शुरू से ही आप को दो, तीन मांगों में खर्च करना पड़ेगा। पहले तो यह कि आप स्कूल्स की स्थापना करें, वहां अध्यापकों का प्रबन्ध करें कोई खर्चा विद्यार्थियों से न लें और सारे खर्चे का प्रबन्ध करें और फिर जब यह प्रबन्ध

आप करते हैं और प्रायः यह सब प्रबन्ध उन छोटे छोटे स्कूलों में जो आप को १, १, २, २, और ३, ३ मील के अन्दर जहां कि आबादी ऐसी है आप को स्थापित करने पड़े । इतने स्कूलों की स्थापना करने में जो व्यय आपका होता है उस का प्रबन्ध होना आवश्यक है । इस विधेयक में जो आप के सामने उपस्थित है उस को देखते हुए भी मुझे यह लगता है कि इस बात का प्रयास नहीं किया गया कि हमारी राज्य सरकार इस की पूरी जिम्मेदारी लें और वह सारे खर्चे को जो कहीं कभी किसी मद में पड़ेगी, बर्दाश्त करेंगे क्योंकि इस की एक धारा में आप के सामने पढ़ कर सुना देना चाहता हूं :—

"If a scheme submitted by a local authority is sanctioned under sub-section (4) of section 3, the State Government shall bear such percentage of the recurring and non-recurring cost of the scheme as it may from time to time determine."

वह स्टेट गवर्नमेंट तय करेगी कि कितना हम कौन सा परसेंटेज लें और कौन सा परसेंटेज दूसरे पर लगायें । मैं नहीं समझता कि ऐसे इंस्टीट्यूशंस आप के होंगे जोकि इस खर्चे को बर्दाश्त करने को तैयार होंगे । स्टेट गवर्नमेंट को इस खर्चे को पूरी तौर से बर्दाश्त करने के लिये तैयार रहना चाहिये और जब तक वह ऐसा नहीं सोचेंगे और इस इरादे के साथ इस योजना को नहीं उठायेंगे तब तक यह योजना सफल नहीं हो सकती ।

फिर मैं ने देखा कि आप की धारा १० (२) में वहां भी जो उन्होंने प्राविजन किया है उस के अनुसार दूसरे स्कूलों में भी ऐसी व्यवस्था चाहते हैं कि बच्चे को प्राइमरी एजुकेशन फ्री मिले और सारे खर्चे को लोकल एथारिटी बर्दाश्त करे । वहां के अल्फाज भी अगर आप सुनें तो आप को पता चल जायेगा कि स्टेट उस बारे में कोई बहुत जिम्मेदारी नहीं ले रही है ।

"Where in respect of any child an attendance order has been passed under section 8 and the only school which he can attend is an approved school under private management falling within sub-clause (ii) of clause (b) of section 2, the local authority may take such steps as it may think fit for the purpose of ensuring that the primary education which the child is to receive is free."

मेरी समझ में यह पर्याप्त नहीं है और जब तक कि स्टेट प्राइमरी एजुकेशन बच्चों को दिलवाने के लिये साफ तौर से पूरी जिम्मेदारी न ले तब तक यह चलने वाला नहीं है ।

फिर एक दूसरी बाधा मैं और निवेदन करना चाहता हूं । एक तो आर्थिक स्थिति की बाधा है ही और दूसरी बाधा यह है कि बच्चे जब प्रायः बड़े हो जाते हैं तो चूंकि उन के मां बाप गरीब होते हैं इसलिये स्वाभाविक रूप से उन बच्चों से वे काम लेना चाहते हैं और कुछ सहारा लेना चाहते हैं और परिणामस्वरूप वह बच्चों को पढ़ने के लिये नहीं भेजते । जैसाकि अभी कुछ विवाद हुआ इस सदन में । यहां कहा गया कि कुछ गरीब मां बाप अपने बच्चों को पढ़ने के लिये नहीं भेजेंगे क्योंकि ऐसा करने में उन को काफी दिक्कत होगी । कुछ लोगों के ये बच्चे ही उन के जीवन का सहारा होते हैं, वे इतने गरीब होते हैं कि उन का और कोई सहारा ही नहीं होता, बच्चे ही खुद कमा कर अपना पेट पालते हैं और अपने परिवार की भी सहायता करते हैं । जैसाकि हमारे मित्र ने कहा, ऐसे बच्चों के लिये कोई प्रावीजन इस विधेयक में नहीं मालूम होता है । इसलिये जब तक कि ऐसे बच्चों के लिये कोई प्रबन्ध न हो जिन के माता पिता उन को स्कूल भेजने में असमर्थ हैं और जिन को मजबूरन अपने बच्चों की कमाई का सहारा लेना पड़ता है, मैं नहीं समझता कि वे बच्चे स्कलों में आ सकेंगे । मुझे तो ऐसी स्थिति में उन का स्कूल में आना प्राबेबिल नहीं मालम होता ।

[पंडित मुनीश्वर दत्त उपाध्याय]

इस के अतिरिक्त जो नियम आप ने बनाये हैं उन को देखने के बाद मुझे सन्देह है कि आप ने जो यह व्यवस्था बनाई है यह चल भी सकेगी और आप का इरादा पूरा भी हो सकेगा। आप देखें कि अटेंडेंस आफिसर को कितना अधिकार दिया गया है जिस के अन्तर्गत वह न जाने कितने लड़कों को स्कूल आने से माफी दे सकता है। इस में पहले कहा गया है :

(a) that there is no approved school within the prescribed distance from his residence

अब वह प्रेस्क्राइब्ड डिस्टेंस क्या होगा यह इस में साफ नहीं है। अगर वह बताया जाता तो इस पर कुछ बात कही जा सकती थी।

दूसरी बात इस में यह है :

"that the only approved school ..... is one in which religious instruction of a nature not approved by his parent is compulsory"

इस में भी एक ऐसा लूपहोल है जिस के अन्तर्गत वह माफी दे सकता है।

तीसरी बात इस में यह कही गयी है :

"that the child is receiving instruction in some other manner...."

यह भी एक माफी देने का तरीका हो सकता है। इस के मातहत भी बहुत से बच्चे स्कूल से बाहर रह सकते हैं।

इस के बाद आप देखें इस में दिया हुआ है :

"that the child has already completed primary education up to the standard specified....."

यह भी उस को माफ करने की एक वजह हो सकती है।

उस के बाद इस में है :

"that the child suffers from a physical or mental defect"

इस का पता लगाना भी बहुत कठिन है और इस बहाने से भी बच्चा स्कूल में आने से रुक सकता है।

फिर आप देखें कि इस में कहा गया है :

"that the child has been granted temporarily leave of absence...."

यह भी एक अच्छा बहाना हो सकता है।

और अन्त में जो बात कही गई हैवह तो ऐसी है कि उस का सहारा ले कर तो बच्चों को स्कूल से बाहर रखने में कोई दिक्कत ही नहीं होगी। वह नियम यह है :

"that there is any other compelling circumstances which prevent the child from attending school....."

इन नियमों के होते हुए जो मंत्री महोदय व्यवस्था करना चाहते हैं और जिस इरादे को ले कर वह आगे बढ़ रहे हैं उस के पूरे होने की सम्भावना नहीं है।

तो मेरा निवेदन यह है कि इस व्यवस्था की सफलता के लिये सब से पहली बात तो यह होना चाहिये कि राज्य सरकार जो भी खर्चा हो उस को बरदाश्त करने के लिये तैयार हो। तभी यह व्यवस्था चल सकती है। दूसरी बात यह जरूरी है कि जो बच्चे कमा कर अपने परिवार की सहायता करते हैं उन के लिये पूरी व्यवस्था किये बिना यह व्यवस्था सफल नहीं हो सकती क्योंकि अन्यथा वह इन स्कलों में नहीं जा सकेंगे।

श्री रामसेवक यादव : उपाध्यक्ष महोदय, प्रस्तुत विधेयक का मैं स्वागत करता हूं परन्तु मैं इस के लिये मंत्री महोदय को दूसरे माननीय सदस्यों की तरह बधाई नहीं दे सकता।

यदि आप संविधान के अनुच्छेद ४५ की तरफ ध्यान दें, और कुछ माननीय सदस्यों ने उस की तरफ सदन का ध्यान खींचा भी है, तो मालम होगा कि उस के अनुसार दस साल के अन्दर ही समस्त देश में प्राराम्भिक

शिक्षा की व्यवस्था करने की बात थी और यह सरकार की जिम्मेदारी भी थी, परन्तु आप देखें कि इन दस सालों में सरकार ने इस जिम्मेदारी को कहां तक निभाया है । अब इस दिशा में एक छोटा सा कदम उठाया जा रहा है और वह भी सिर्फ दिल्ली राज्य के लिये । मैं नहीं समझता कि इस तरह देश के छोटे बच्चों की शिक्षा का प्रबन्ध करने में अभी हम को कितना समय लगेगा । इसलिये माननीय मंत्री बधाई के पात्र नहीं हैं क्योंकि उन्हों ने यह बहुत छोटी सी चीज दी है । लेकिन उस का स्वागत तो करना ही चाहिये ।

मैं देखता हूं कि यह कानून केवल दिल्ली के लिये ही है और वह भी तब लागू होगा जब सरकार मुनासिब समझेगी । यह भी नहीं है कि जैसे ही कानून बन जाय वैसे ही लागू भी हो जाय । और फिर पूरे हिस्से में कब लागू होगा इस के लिये भी अधिकार ले लिया गया है । कब यह विधेयक लागू होगा और इस पर किस तरह से अमल होता है यह तो अभी देखने की बात है ।

मैं मंत्री महोदय से यह नहीं कहना चाहता कि वह सारे देश के लिये इस प्रकार का कानून क्यों नहीं लाये । लेकिन मैं उन से पूछना चाहता हूं कि जब वह दिल्ली के लिये, जोकि केन्द्र शासित प्रदेश है, इस प्रकार का बिल लाये तो अन्य केन्द्र शासित प्रदेशों के लिये, जैसे मणिपुर है, त्रिपुरा है, अन्डमान है, या हिमाचल है, भी इस विधेयक में व्यवस्था क्यों नहीं की गई । यह सही है कि इस में पैसे की आवश्यकता होगी लेकिन यह तो आप ने इस में पहले ही रखा है कि जब चाहेंगे तब इस को लागू करेंगे । ऐसी अवस्था में तो आप दूसरे केन्द्र शासित प्रदेशों के लिये भी इसी में व्यवस्था कर सकते थे । अब जब आप उन क्षेत्रों के लिये शिक्षा की इस प्रकार की व्यवस्था करना चाहेंगे तो फिर उन के लिये अलग अलग विधेयक लायेंगे, उन को फिर प्रवर समिति के पास भेजा जायगा और तब वह कानून बनेंगे ।

चौ० रणबीर सिंह : आप को कुछ कहने का तो मौका मिल जायगा ।

श्री राम सेवक यादव : कहने का मौका तो मिल जायगा, लेकिन इस प्रकार बार बार विधेयक लाने से देश के कर दाता की तो रीढ़ टूट जायगी, खास तौर पर जबकि इसी विधेयक में उन क्षेत्रों के लिये भी व्यवस्था की जा सकती थी ।

श्री खुशवक्त राय : आप यही चाहते हैं कि पार्लियामेंट हमेशा चलती रहे ।

श्री राम सेवक यादव : जहां तक प्रारंभिक शिक्षा का प्रश्न है, अगर मंत्री महोदय और सरकार यह नेकनीयती से चाहती है कि लोगों को शिक्षा मिले, तो हम को एक तरफ ध्यान देना चाहिये और वह यह कि समस्त देश में समान स्तर की प्रारम्भिक शिक्षा होनी चाहिये । लेकिन हम देखते हैं कि आज देश में समान प्रारम्भिक शिक्षा की व्यवस्था नहीं है । एक तरफ पबलिक स्कूल हैं, मिशनरियों के स्कूल हैं और दूसरी तरफ म्युनिसिपैलिटियों और दूसरे लोकल बाडीज द्वारा चलाए जाने वाले प्राइमरी स्कल हैं । इन दो प्रकार के स्कलों के चलने का परिणाम यह होता है कि जिन म्युनिसिपैलिटियों के स्कूलों में गरीबों के बच्चे पढ़ते हैं उन की तरफ राज्य सरकारों का या केन्द्रीय सरकार का ध्यान नहीं जाता, उन का ध्यान जाता है पबलिक स्कूलों की तरफ । इस का कारण यह है कि मंत्री महोदय के और यहां के बहुत से माननीय सदस्यों के भी लड़के जाते हैं पबलिक स्कूलों में । उन के बच्चे देहरादून, नैनीताल और ऊटी के पबलिक स्कलों में जाते हैं । इसलिये इन लोगों का ध्यान ही गरीबों के स्कूलों की ओर नहीं जाता । हमारे उत्तर प्रदेश में जगह जगह प्राइमरी स्कूल चलते हैं । वहां हाल यह है कि अगर टाट है बैठने को तो इमारत

[श्री राम सेवक यादव]

नहीं है और अगर इमारत है तो स्कूल में मुदर्रिस नहीं है । अगर बारिश हो तो लड़कों के बैठने के लिये कोई जगह नहीं होती । और लड़कों को छुट्टी हो जाती है । एक तो स्कूलों में वैसे ही बहुत छट्टियां होती रहती हैं, इस के अलावा मौसम की खराबी के कारण भी अनेक बार छट्टी हो जाती है । इस कारण कागज पर तो शिक्षा जरूर होती है, लेकिन वास्तव में जो शक्षा होनी चाहिये वह नहीं हो पाती । इस का कारण यह है कि इन स्कूलों में मंत्रियों के, इस सदन के सदस्यों के, व्यापारियों के और अन्य सम्पन्न वर्ग के बच्चे पढ़ने नहीं जाते । उन के बच्चों को गरमी में गरम हवा नहीं लगती, सरदी में ठंडी हवा का कष्ट नहीं होता । इसलिये उन को इन स्कलों को क्या परवाह हो सकती है । तो मैं कहना चाहूंगा कि अगर आप चाहते हैं अनिवार्य रूप से प्रारम्भिक शिक्षा चले और आप का उद्देश्य सही रूप में पूरा हो तो उस शिक्षा का रूप व्यापक होना चाहिये और चाहे वह मंत्री का लड़का हो, चाहे वह गवर्नर का लड़का हो, चाहे किसी व्यापारी का लड़का हो, चाहे किसी बड़े अधिकारी का लड़का हो और चाहे गरीब से गरीब हरिजन का लड़का हो, सब को एक साथ समानता से प्रारम्भिक शिक्षा दी जाय । तो मैं चाहूंगा कि इस तरफ ध्यान दिया जाय ।

अब मैं मंत्री महोदय और इस सदन का ध्यान एक दूसरी चीज की तरफ दिलाना चाहता हूं । कुछ बच्चे काम कर के अपने परिवार का पेट पालने में सहायता करते हैं । उन के लिये भी कोई विशेष सुविधा उस में होनी चाहिये थी जोकि नहीं दी गई है । यह ठीक है कि आप ने शिक्षा को निःशुल्क कर दिया है, लेकिन उन लोगों का केवल इतने से ही काम चलने वाला नहीं है । उन गरीब लोगों की परिस्थिति ऐसी है कि अगर उन के बच्चों को स्कूल में लाया जायगा, तो उन का जीवन निर्वाह कठिन हो जायगा क्योंकि उन के बच्चे काम कर के कुछ पैसा लाते हैं । इस के अतिरिक्त जब वे लड़के स्कूलों में आयेंगे तो उन को पुस्तकें भी चाहियें । इसलिये जब तक इन लड़कों के लिये कुछ पैसे की व्यवस्था नहीं होती, और उन के लिये मुफ्त पुस्तकों की और भोजन इत्यादि की व्यवस्था नहीं होती उन के लिये इन स्कूलों में आना संभव नहीं हो सकता ।

अध्यापकों का प्रश्न भी बड़ा महत्वपूर्ण है । आज उच्च शिक्षा की ओर ज्यादा ध्यान दिया जाता है, यूनिवर्सिटी एजूकेशन और हायर सेकेन्डरी एजूकेशन की ओर ज्यादा ध्यान दिया जाता है और उनके अध्यापकों की सारी सुविधाओं की ओर ध्यान दिया जाता है । लेकिन जो अध्यापक प्रारम्भिक शिक्षा देते हैं उन की तरफ बिल्कुल ध्यान नहीं दिया जाता है । असल में ज्यादा ध्यान देना चाहिये प्रारम्भिक शिक्षा के ऊपर, क्योंकि वह तो जड़ होती है, बुनियाद होती है । यदि उस के लिये अच्छे शिक्षक नहीं हुए, तो हम अपने मकसद में सफल नहीं हो सकेंगे । और अच्छे शिक्षक वहां जाने के लिये तत्पर नहीं होंगे, अगर उन को अच्छी तन्ख्वाह नहीं दी जायेगी, जिस से वे जी सकें, रह सकें, स्वतन्त्रतापूर्वक शिक्षा दे सकें, अपन बच्चों का पालन-पोषण कर सकें और उन का मन कहीं और न लगे । जब तक उन को अच्छी तन्ख्वाह नहीं दी जायेगी, तब तक हमारी प्रायमरी शिक्षा ठीक से नहीं चल सकती और उस का मकसद पूरा नहीं हो सकता । मैं निवेदन करूंगा कि यदि हम चाहते हैं कि अनिवार्य प्रारम्भिक शिक्षा सफलतापूर्वक चले, तो इस विधेयक में इस बात की व्यवस्था होनी चाहिये — और संयुक्त प्रवर समिति को इस पर विचार करना चाहिये—कि एक ही प्रकर के प्रायमरी स्कूल समस्त देश में चलें । इस विधेयक में दूसरी व्यवस्था यह होनी चाहिये कि जो बच्चे उन स्कलों में पढ़ने जायें, उन में से जो खाने पीने और

किताबें खरीदने का प्रबन्ध करने में असमर्थ हैं, उन के लिये भोजन और किताबों आदि की व्यवस्था की जाय। जो अध्यापक प्राइमरी स्कूलों में हों, उन को ऐसी तन्ख्वाह मिले, जो कि आज के वातावरण के लिये उपयुक्त हो, जब कि मंहगाई इतनी बढ़ रही है, जिस से वे अपन परिवार का पालन-पोषण कर सकें और आजादी से बच्चों को अच्छी शिक्षा दे सकें। जब तक यह व्यवस्था नहीं होती है, तब तक यह काम नहीं होने वाला है।

सारे देश के बारे में इस प्रकार की व्यवस्था करने में माननीय मंत्री को शायद कुछ आनाकानी हो, कुछ कठिनाई हो—वैसे कठिनाई होनी नहीं चाहिये, बहुत समय बीत चुका है, लेकिन फिर भी अगर कोई कठिनाई हो, तो मैं समझता हूं कि केन्द्र-शासित इलाकों के लिये तो एक ही कानून बनना चाहिये। उन के लिये अलग अलग कानून बनाने की आवश्यकता नहीं है। अगर हो सके, तो इस विधेयक की शक्ल बदल कर एक नया विधेयक लाया जाये, जो कि सारे केन्द्र शासित इलाकों पर लागू हो।

धारा १८ के अधीन कुछ वर्गों आदि को एग्जेम्पशन दी गई है। कुछ माननीय सदस्यों ने उस के बारे में कहा है कि कुछ जिप्सीज आदि को एग्जेम्पशन देने के लिये यह धारा रखी गई है। जहां तक दिल्ली का सम्बन्ध है, यहां तो ऐसे कोई लोग हैं नहीं, लेकिन मैं समझता हूं कि जब हम एक समाजवादी समाज की रचना की बात करते हैं और हम चाहते हैं कि हम सब को एक समान स्तर पर लायें, तो यह ख्याल कर के कि वे एक जगह रहते नहीं हैं, या किसी अन्य कारण से, उन को इस कानून से छूट दे देना, यह कह देना कि उन के बच्चे स्कूल में न जायें, उचित नहीं है। इस प्रकार की धारा रखने का क्या अर्थ है, यह मैं नहीं समझ सकता। यह धारा बिल्कुल बेमतलब है, इस का कोई अर्थ नहीं है, इस से अनर्थ होगा। मैं माननीय मंत्री महोदय से निवेदन करूंगा कि इस धारा को इस विधेयक से निकाल दिया जाये।

इन शब्दों के साथ मैं पुनः इस विधेयक का स्वागत करता हूं और चाहूंगा कि इस स्कीम को सारे देश पर लागू किया जाये, तभी कल्याण होगा।

श्री राधा रमण (चांदनी चौक) : उपाध्यक्ष महोदय, मैं शिक्षा मंत्री महोदय को बधाई देता हूं कि उन्होंने यह बिल इस सदन के सामने रखा। जैसा कि कई पूर्व-वक्ताओं ने कहा है, हमारे संविधान में इस बात का जिक्र किया गया है कि देश में छः वर्ष से चौदह वर्ष तक की आयु का कोई भी बच्चा ऐसा न हो, जिस को शिक्षा का पूरा मौका न मिले। संविधान में यह भी लिखा है कि यह काम इस बरस में होना चाहिये। लेकिन अब दस की जगह ग्यारहवां बरस चल रहा है और अभी तक हम संविधान में रखे गये उस उद्देश्य को पूरा नहीं कर पाय हैं। इसलिये इस विधेयक को लाने में देर भले ही हुई हो, लेकिन वह कदम है उस आशा को पूरा करने की तरफ, जो कि संविधान में हम से की गई थी, और जिस को हम अब तक पूरा कर नहीं पाये थे। लेकिन मैं यह जरूर कहूंगा कि मैं इस विधेयक को, जो कि खास दिल्ली की यूनियन टेरीटरी से ताल्लुक रखता है, मुकम्मल नहीं मानता हूं, और वह इस वजह से कि इस में बहुत सी धारायें एसी रखी गयी हैं, जिन से यह आशा नहीं होती कि इस विधयक को लागू करने के बाद दिल्ली का फिलहाल छः से ग्यारह बरस तक का और उस के बाद छः से चौदह बरस तक का हर एक बालक शिक्षा प्राप्त कर सकेगा। उस का कारण यह है कि इस विधेयक में यह छूट दी गई है कि राज्य सरकार जिस इलाके या जिस कम्युनिटी या जिस हिस्से पर चाहेगी, उस पर इस विधेयक को लागू करेगी। मैं यह निवेदन करना चाहता हूं कि दिल्ली का इलाका बहुत छोटा सा इलाका है—पन्द्रह मील का गिरदा है और हालांकि

[श्री राधा रमण]

यहां की आबादी दिनों दिन बढ़ती जा रही है, किन्तु वह ऐसी ज्यादा नहीं है कि इस तरह की छूट को रख कर इस बिल को यहां लाया जाता। मैं समझता हूं कि संविधान की भावना पूर्ण हो जाती, अगर इस विधेयक में से इस छूट को निकाल दिया जाता और इस के जरिये आज ही इस बात का फैसला कर दिया जाता कि दिल्ली के हर इलाके में, चाहे वह गांव हो, या शहर, छः से ग्यारह बरस तक की आ ु के हर एक बच्चे को—और अगर हो सके, तो छः से चौदह बरस तक की आयु के हर एक बच्चे को तालीम मिल सकेगी। मैं मानता हूं कि इस सम्बन्ध में कुछ कठिनाई हो सकती है, जैसे धन का अभाव हो सकता है, जगह का अभाव हो सकता है, और बातों का अभाव हो सकता है, मगर अगर हम इन अभावों की तरफ देखगे, तो जहां दस साल के बाद हम यह विधेयक ला पाये हैं, वहां शायद पांच सात साल और लग जायेंगे और हमारा मकसद पूरा न होगा। इस लिये हम को दृढ़ता के साथ, मजबूती के साथ यह कहना चाहिये था और उस के लिये साधन जुटाने चाहियें थे। जब संविधान में हम ने यह बात मन्जूर की है, तो फिर मेरी समझ में नहीं आता कि क्यों हम इस विधेयक को अपूर्ण रूप से लागू करें और उस में गुंजाइश रखें और इस तरह अपने मकसद को पाने में हमें काफी अरसा लगे।

जहां इस विधेयक में इलाके और कम्युनिटी वगैरह की छूट दी गई है, वहां ऐसे बालकों को भी छूट दी गई है, जिन को ऐसा कोई स्कूल उपलब्ध न हो, या जो डिसएबल्ड हों, या जिन को कोई और आपत्ति हो। इस में 'कम्पेलिंग सर्कमस्टांसिज' शब्द का इस्तेमाल किया गया है। कई पूर्ववक्ताओं ने इस तरफ ध्यान दिलाया है। मैं समझता हूं कि ऐसे शब्दों से हम रास्ता निकाल लेते हैं अपने आप के बचाव का। जब हम शिक्षा को अनिवार्य करना चाहते हैं, तो इस प्रकार की छूट हम को नहीं देनी चाहिय। मेरी राय है कि इस प्रकार की शब्दावली को बिल्कुल हटा देना चाहिये और साफ तौर पर, कैटगारिकली यह कह देना चाहिये कि छः से ग्यारह वर्ष तक के बच्चों को शिक्षा लेना अनिवार्य होगा, किन्हीं सर्कमस्टांसिज में भी उन को छूट नहीं मिलेगी और जो शिक्षा नहीं लेगा, वह दंड का पात्र होगा। हो सकता है कि कोई बच्चा मेंटली डीरेंज्ड हो, या ऐसा हो, जिस को किसी प्रकार की शिक्षा नहीं दी जा सकती। उस को छूट दी जा सकती है। लेकिन मान लीजिये कि किसी का हाथ टूटा हुआ है, या कोई लंगड़ा है, या बहरा है, या इस हालत में है कि उस को पूर्ण रूप से वह शिक्षा नहीं दी जा सकती, जो कि उस को दी जानी चाहिये, तो उस को ऐसी शिक्षा उपलब्ध की जा सकती है कि वह अपने जीवन को अच्छी बना सके। मैं समझता हूं कि सब बच्चों को इस विधेयक के मातहत आना चाहिये।

एक बात मैं और कहना चाहता हूं। दिल्ली के हालात को देखते हुए हमें इस बात का विशेष प्रयत्न करना चाहिये कि जितने भी स्कूल हम खोलें, हम देख लें कि बच्चों को किस जबान में शिक्षा देने की आवश्यकता है और उन स्कूलों में हम उन जबानों की शिक्षा देने की व्यवस्था करें। यहां पर ऐसे इलाके हैं कि जहां आप देखेंगे कि बच्चों को हिन्दी में शिक्षा देने की जरूरत पड़ेगी, दूसरे कुछ इलाके होंगे जहां पर उर्दू में शिक्षा देने की आवश्यकता अनुभव की जायेगी और कुछ ऐसे भी इलाके होंगे जहां पर कि गुरुमुखी में शिक्षा देने की आवश्यकता महसूस होगी। इस विधेयक को जब हम यहां लागू करें तो इन बातों का हमें चाहिये कि हम विशेष ध्यान रखें।

मैं यह भी कहना चाहता हूं कि स्कूल खोल देना ही काफी नहीं है। उन में बच्चों को दाखिल करना भी बड़ी मामूली सी बात

है। वह जो छः बरस की उम्र में शिक्षा पाना शुरू करता है, वह एक बुनियाद होती है और उस पर ही उस का भविष्य निर्भर करता है। इस काम के लिये अगर आप के पास अच्छे शिक्षक नहीं होंगे, अगर विद्यालयों के अन्दर वे तमाम वस्तुयें नहीं होंगी जिन के द्वारा कि बच्चों को शिक्षा दी जाती है और फिर वे किताबें, वह प्रणाली और वह जबान कि जिस जबान से बच्चे अच्छी तरह से शिक्षा ग्रहण कर सकते हैं, ये सब चीजें ठीक ठीक नहीं होंगी तो चाहे आप शिक्षा पर अरबों रुपया भी क्यों न खर्च कर दें और आप को करना पड़ेगा, मगर उस का जो नतीजा निकलेगा वह ना-मुकम्मिल निकलेगा, अच्छा नतीजा नहीं निकलेगा। इस बिल का दिल्ली से ही संबन्ध है और दिल्ली पर ही आप इस को लागू करना चाहते हैं। मगर मैं समझता हूं कि इस विधेयक को आप इस तरह का बना सकते थे कि जिसे दूसरी यूनियन टैरिटरीज पर भी लागू किया जा सकता। इसमें कोई खास आपत्ति की बात नहीं थी और न ही इस में कोई कठिनाई पैदा हो सकती थी। दूसरी टैरीटरीज के लिये आप एग्जेम्पशन्स रख सकते थे, ट्राइबल एरियाज के लये या बैकवर्ड क्लासिस के लिये, जहां पर कि शिक्षा का एक दम इंतिजाम करना मुश्किल है, उनको आप छट दे सकते थे, लेकिन जनरली हमें इस चीज को मान लेना चाहिये था और एक ऐसा विधेयक लाना चाहिये था जो कि सब यूनियन टैरिटरीज पर एक साथ लागू हो सकता। ऐसा नहीं हो सका है। मगर जो विधेयक भी पेश किया गया है, उस पर मैं दिल्ली के ख्याल से ही अपने विचार आप के सामने रख रहा हूं। यहां पर यह जरूरी है कि जितने भी विद्यालय खुलें ऐसे खुलने चाहियें जहां पर कि सही ढंग की शिक्षा दी जा सके। उन के अन्दर सही किस्म की वस्तुयें उपलब्ध होनी चाहियें। यदि ऐसा किया गया तो शिक्षकों को मौका मिल सकता है कि वे बच्चों को उस किस्म की तालीम दें जिसकी कि उन को आवश्यकता होती है। जहां तक धन की बात है, मैं नहीं समझता कि कोई खास दिक्कत पेश आयेगी।

यहां पर शिक्षकों की जो स्थिति है, उस का भी जिक्र किया गया है। उन को सैलेरी तो कम मिलती ही है, इस में शक वाली कोई बात नहीं है। वह बढ़नी चाहिये, और मैं समझता हूं कि इस में कोई दो रायें नहीं हो सकती हैं। लेकिन उस से भी कहीं ज्यादा जरूरी बात यह है कि उन की प्रतिष्ठा उन का मान बढ़े। आज शिक्षकों को वह दर्जा प्राप्त नहीं है जो कि एक गुरु को हुआ करता था। या जो किसी बुजुर्ग को प्राप्त होता था। इस का नतीजा यह होता है कि जो शिक्षा वे बच्चों को देते हैं, उस का वह असर नहीं होता है जो कि होना चाहिये। मैं समझता हूं कि इस के बारे में भी सोचने की जरूरत है। दिल्ली एक छोटा सा इलाका है और यहां से हम उस की शुरूआत कर सकते हैं। हमें चाहिये कि इस को एक पायलैट सेंटर बना कर यहां पर इस को वह रूप दें जो रूप कि हम सारे देश को देना चाहते हैं। विशेषकर प्राथमिक शिक्षा के सम्बन्ध में हम उस को यहां पर लागू करें और उस के नतीजे निकाल कर दूसरी स्टेट्स को या यूनियन टैरिटरीज को दिखायें और दिल्ली को दूसरों के लिये एक आदर्श बनायें।

यहां पर मजहबी शिक्षा का भी जिक्र किया गया है। अगर किसी विद्यालय में उस तरह की रिलिजस शिक्षा दी जाती है जो कि किसी बच्चे के माता पिता या संरक्षक अपने बच्चों को दिलाना नहीं चाहते हैं तो उन को बाध्य नहीं किया जा सकता है कि वे अपने बच्चों को वहां भेजें। यह भी कहा गया है कि अगर कोई बच्चा उस रिलिजस शिक्षा को लेना नहीं चाहता है और दाखिल होना चाहता है तो उस को दाखिल नहीं किया जायेगा। यह मैं समझता हूं कि बिल्कुल गलत बात है। मैं समझता हूं कि जिस बच्चे के माता पिता यह चाहते हों कि उस को रिलिजस शिक्षा न दी जाये तो दाखिला तो उस को

[श्री राधा रमण]

उस स्कूल में जरूर मिलना ही चाहिये और उस को उस शिक्षा को ग्रहण करने के लिये बाध्य नहीं किया जाना चाहिये । अगर वह स्कूल एफ्रुण्ड है, या रिकगनाइज्ड है या एफ्रूवल या रिकगनिशन लेना चाहता है तो उस को चाहिये कि वह अहद करे कि वह ऐसे बच्चों को दाखिल करेगा, उन को दाखिल होने से रोकेगा नहीं और बच्चों के लिये यह जरूरी नहीं होगा कि वे कम्पलसरिली उस एजूकेशन को हासिल करें ।

इन शब्दों के साथ मैं इस विधेयक का स्वागत करता हूं और आशा करता हूं कि ज्वायंट कमेटी, जिन कमियों की ओर ध्यान दिलाया गया है, ध्यान देगी और उन को दूर करने का प्रयत्न करेगी ।

श्री प्रकाश वीर शास्त्री : उपाध्यक्ष जी, संविधान में प्राथमिक शिक्षा के लिये जो व्यवस्था आज से दस वर्ष पूर्व की गई थी, उस को अमल में लाने के लिये यह जो पहला पग आज उठाया जा रहा है, इसके लिये मैं शिक्षा मंत्री महोदय को धन्यवाद देता हूं परन्तु साथ ही साथ मैं एक हल्की सी शिकायत भी करना चाहता हूं ।

भारत में प्रायः यह शिकायत सुनने को आती है कि शासन की ओर से जो कुछ भी नई सुविधायें उपलब्ध की जाती हैं, वे प्रायः ऊपर से नीचे की ओर जाती हैं। मेरा अभिप्राय मोटी सी भाषा में यह है कि पहले उस के लिये शहर छांटे जाते हैं, फिर छोटे उपनगर छांटे जाते हैं, फिर कस्बों की बारी आती है और आखिर में जाकर गांवों का नम्बर आता है । उसी प्रकार का कुछ भाव और संकेत इस बिल में भी मिलता है । अच्छा होता कि संघीय क्षेत्रों के अन्दर जो और राज्य आते हैं, जैसे हिमाचल प्रदेश है, अंदमान, निकोबार है, मनीपुर है, त्रिपुरा है, जो कि शिक्षा की दृष्टि से भी तथा दूसरी दृष्टियों से भी पिछड़े हुए हैं उन को भी इस में आप सम्मिलित कर लेते और अगर आपने ऐसा कर लिया होता तो आप और भी अधिक धन्यवाद के पात्र बन सकते थे ।

दूसरी विशेष बात मैं यह कहना चाहता हूं कि हमारे देश में अब तक बालकों के समाज को एक बहुत ही उपेक्षा की दृष्टि से देखा जाता रहा है और अब तक की स्थिति कुछ इस प्रकार की रही है कि प्राइमरी शिक्षा हमारे देश की जिन हाथों में है वे स्वयं बहुत कच्चे हाथ हैं । कुछ दिन पूर्व मुझे राजस्थान के शिक्षा विभाग के डायरेक्टर का एक वक्तव्य सुनने को मिला था । मैं अगर भूल नहीं करता हूं तो उनका नाम डा० मथुरा लाल शर्मा है । उन्होंने एक स्थान पर अपने भाषण में यह कहा है कि हमारे राजस्थान में प्राइमरी शिक्षा जिन लोगों के हाथ में है, उनमें से १६,००० अध्यापक इस प्रकार के हैं कि जिन की अवस्था १८ से लेकर २१ वर्ष के मध्य में है । जो स्वयं अवस्था की दृष्टि से कच्चे हैं, वे कच्चे मस्तिष्कों का जिनको विकास का बुनियादी पत्थर रखा जाना है ज्ञान की दृष्टि से उनका निर्माण कर सकेंगे, मुझे स्वयं इसके अन्दर सन्देह दिखाई देता है । आज जब हम भारतीय संविधान के अनुसार इस प्रकार का पग उठाने की तैयारी कर रहे हैं तो अच्छा हो कि जो क्रम आप दिल्ली से आरम्भ करने जा रहे हैं उसमें प्रारम्भिक शिक्षा के लिए अनुभवी और इस प्रकार के अध्यापकों की व्यवस्था आप करें कि जिस के आधार पर उन छोटे मस्तिष्कों का आरम्भ से ही बहुत व्यवस्थित ढंग से निर्माण हो सके । हमारे देश के एक बहुत बड़े सन्यासी स्वामी विवेकानन्द हुए हैं । एक बार अमरीका में जब वह अपने देश के सम्बन्ध में कुछ जानकारी देने के लिए गये तो स्वामी जी जब भाषण दे कर मंच से नीचे उतरे एक अमरीकी महिला ने उनसे पूछा कि आप मुझे यह बतायें आप भारत में कहां पढ़े हैं ? साथ ही भारत के उस स्कूल या कालेज का पता भी लिखायें जहां पर कि

विवेकानन्द तैयार किये जाते हैं । वह उनके भाषण से इतना अधिक प्रभावित हुई थी कि उसको यह प्रश्न उन से करना पड़ गया । स्वामी जी ने उससे पूछा कि तुम किस को विवेकानन्द बनाना चाहती हो । उस महिला ने अपने बालक की ओर संकेत करके कहा कि इस बच्चे को मैं विवेकानन्द बनाना चाहती हूं । स्वामी जी ने पूछा कि इसकी अवस्था क्या है । उसने उत्तर दिया कि इसकी अवस्था करीब ११-१२ वर्ष है । स्वामी जी ने हंस कर कहा कि भारत में तो क्या दुनिया के किसी पर्दे पर भी इस तरह का कोई विद्यालय नहीं है जहां पर जा कर कि तुम्हारा बच्चा विवेकानन्द बन सके क्योंकि विवेकानन्द बनने की अवस्था तो ८-९ वर्ष तक की ही होती है । मैं यह बात इस दृष्टि से कह रहा हूं कि ८-९ वर्ष की अवस्था सम्भाल की अवस्था है और निर्माण की अवस्था है जितना अनुभवी हाथ उस अवस्था में मिलना चाहिए भविष्य निर्माण की दृष्टि से, उतने अच्छे अनुभवी हाथ आज हमारे प्राथमिक स्कूलों में प्राप्त नहीं हैं ।

तृतीय पंच वर्षीय योजना की रूपरेखायें समाचारपत्रों में प्रकाशित हो रही हैं और यह भी चर्चा का विषय बना है कि शिक्षा मंत्रालय की ओर से व्यवस्था की गई है कि हमें इतने करोड़ रुपये उस योजनाकाल में अनिवार्य प्राथमिक शिक्षा के लिए रखने हैं । जहां तक प्राथमिक स्कलों के अध्यापकों का सम्बन्ध है, हमने यह रखा है कि जो अनट्रेंड अध्यापक है, उसको तो ४० रुपये प्रतिमास दिये जायेंगे और जो ट्रेंड हैं, उसको ५० रुपये प्रतिमास दिये जायेंगे । मैं समझता हूं कि इससे अधिक उपहास की बात और दूसरी नहीं हो सकती है । ४० या ५० रुपये प्रतिमास पाने वाला अध्यापक बच्चों के निर्माण के लिए क्या शक्ति लगा सकेगा ? ये वे बच्चे हैं जिन के हाथों में भावी भारत की बागडोर आने वाली है । हो सकता है कि नगरों में उनका स्तर आपने कुछ थोड़ा सा बढ़ाया हुआ हो लेकिन वह भी बहुत कम है । मैंने यह जानकारी हासिल करने का प्रयत्न किया है कि दुनिया के दूसरे मुल्कों में कौन से मुल्क में प्राथमिक स्कूलों के अध्यापकों को सब से कम वेतन मिलता है । मुझे पता चला है कि जापान में प्राथमिक स्कलों में पढ़ाने वाले अध्यापकों को सब से कम यानी १५२ रुपये ९ नये पैसे भारतीय सिक्के के अनुसार दिये जाते हैं । मुझे यह भी पता चला है कि जापान का शासन इस दृष्टि से अपने को कुछ थोड़ा सा हीन अनुभव करता है कि वह अपने प्राथमिक स्कूलों के अध्यापकों को इतना काम वेतन दे रहा है । लेकिन इसके बदले में वह और सुविधायें देता है, जैसे उनके बच्चों के लिए निश्शुल्क शिक्षा, रहने के लिए मकान, यातायात की सुविधायें इत्यादि । मैं चाहता हूं कि अब जब आप इस प्रकार का एक दृढ़ पग संविधान की प्रतिज्ञा के अनुसार उठाने की तैयारी कर रहे हैं तो उसके साथ ही साथ प्राथमिक स्कूलों के अध्यापकों के वेतनों और उनके माप-दंड को भी ऊंचा उठाने की दिशा में कुछ थोड़ा सा सजग हो कर आप कार्य करें ।

मैंने अभी कहा कि कच्ची अवस्था के छोटे बच्चों के अबोध मस्तिष्कों का वे व्यवस्थित रूप से निर्माण कर सकेंगे, इसमें मुझे सन्देह है और वह इस दृष्टि से है कि अध्यापकों को हमारे यहां पर आचार्य कहा जाता है और आचार्य की व्याख्या यह है "आचारं ग्राहयतीति आचार्यः" यानी जो चरित्र निर्माण की शिक्षा देता है, उसको आचार्य कहा जाता है । हमारे यहां पर वैदिक परम्परा के अनुसार जब बच्चे का विद्या ज्ञान आरम्भ होता है तो आचार्य सब से पहली बात विद्यार्थी को यह कहता है :—

"मान्यवद्यानि कर्माणि तानि
त्वयोपास्यानि नो इतराणि"

इसका मतलब यह है कि अगर हमारे अन्दर कोई इस प्रकार के कर्म हों जो निन्दनीय या हेय हों तो उनको दृष्टि उठा कर न देखो

[श्री प्रकाश वीर शास्त्री]

बल्कि गुणों को ग्रहण करने का प्रयत्न करो। मैं चाहता हूं कि अनिवार्य प्राथमिक शिक्षा का पहला पग जो राजधानी दिल्ली से उठाने की तैयारी हम कर रहे हैं तो इस दिशा में भी कि प्राथमिक शिक्षक चरित्रवान और अनुभवी हाथों में हों इस पर भी आप व्यवस्थित ढंग से विचार करें, यह मेरा निवेदन है।

एक विशेष बात इस प्रकरण में मैं यह कहना चाहता हूं कि आजकल कुछ इस प्रकार की परम्परा चल पड़ी है कि छः घंटे बच्चा स्कूल में रहता है। जब वह इतने समय तक स्कूल में रहता है तो इसका परिणाम यह होता है कि माता पिता कुछ निश्चित से हो जाते हैं और समझते हैं कि निर्माण का काम अध्यापक का है। लेकिन अध्यापक यह कहता है कि मेरे पास तो यह केवल छः घंटे ही रहता है और जितना कुछ हम कर सकते हैं करते हैं लेकिन जिन के हाथों में यह १८ घंटे रहता है, वे हमारे साथ कुछ सहयोग नहीं करते हैं और इसका परिणाम यह होता है कि माता पिता अध्यापक को दोषी ठहराते हैं और अध्यापक माता पिता को। इस बीच जो बच्चा है उसका जितना व्यवस्थित निर्माण होना चाहिए, इस प्रकार से नही हो पाता। मैं चाहता हूं कि शिक्षा मंत्रालय की ओर से इस प्रकार की कोई नई परम्परा आरम्भ की जाये जिससे कि वर्ष में दो, तीन या चार बार अध्यापकों और माता पिताओं का इस प्रकार का कुछ मिलन हो कि जो अध्यापक हैं वे बच्चों के सम्बन्ध में माता पिता को जानकारी दें। और माता पिता अपने बच्चों की प्रवृत्ति के सम्बन्ध में अध्यापकों को जानकारी दें, इस प्रकार की प्रवृत्ति बढ़नी चाहिए।

तीसरी बात जिस की ओर हमारे मित्र ने संकेत किया था वह पब्लिक स्कूलों के सम्बन्ध में है। भारतवर्ष के लिए यह एक लज्जा की सी बात होती चली जा रही है कि जिनके पास पैसा है, जिन के पास धन है, वे आज अपने बच्चों को नैनीताल, मसूरी या और कहीं भेज कर उन पर २००-२०० या १५०-१५० रु० व्यय कर सकते हैं। एक ओर आप उन बच्चों की कल्पना कर सकते हैं जिन को ५० रु० प्रति मास लेने वाले अध्यापक पढ़ाते हैं और दूसरी ओर उन विद्यालयों की कल्पना कर सकते हैं जिन में २००, २०० और १५०, १५० रु० प्रतिमास दे कर बच्चे पढ़ाये जाते हैं। हमारे प्राचीन ऋषियों ने जब शिक्षा आरम्भ की थी तो उस का सब से पहला आधार समानता रखा। शिक्षा के लिए पांच सकार हमारे यहां रखे गये :

"समानता, सरलता सामोद्यं गुरुशिष्ययो। ।
स्वाधीम्यं संयमश्चैव सकाराः पंचमस्तदा ।।"

इस शिक्षा के पांच मूलभूत और आधारभूत सकार हैं। जिन में पहला मूलभूत आधार है समानता। समानता का अभिप्राय इस प्रकार का है कि बाल्मीकि के आश्रम में अयोध्या के चक्रवर्ती राजा का लड़का राम जहां शिक्षा प्राप्त करता है उसी के बगल में आसन पर बैठ कर अयोध्या के गरीब मजदूर का लड़का भी शिक्षा प्राप्त करता है। सांदीपनी ऋषि के जिस आश्रम में बैठ कर द्वारका के राजा का लड़का कृष्ण चन्द्र शिक्षा प्राप्त करता है वहीं गरीब ब्राह्मण का लड़का सुदामा भी उसी आसन पर बैठ कर शिक्षा प्राप्त करता है। तो शिक्षा का मूल आधार है समानता। एक ओर २०० रु० प्रति मास एक बच्चे पर व्यय करने वाले स्कूल हैं और दूसरी ओर वे स्कूल हैं जहां अध्यापक को ५० रु० प्रति मास वेतन दिया जाता है। आप शिक्षा क्षेत्र को मूलभूत बिगड़ा रूप देते चले जा रहे हैं। जब आप समाजवादी समाज के निर्माण करने के लिए प्रयत्नशील हैं तो मैं चाहता हूं कि इस पहले स्तर की शिक्षा की ओर भी ध्यान दिया जाय।

इस के बाद एक चीज विशेष रूप से कह कर मैं अपने वक्तव्य को उपसंहार की ओर ले जाना चाहता हूं। आप ने इस में धर्म शिक्षा की भी चर्चा की। जैसा मैं ने

आरम्भ में ही कहा कि जो बच्चों की छोटी अवस्था है जो प्राइमरी स्कूलों में व्यतीत होती है उस में बच्चों के मस्तिष्क में जीवन की बुनियादी बात रखी जाती है क्योंकि ६ वर्ष की अवस्था तक बच्चों के हृदय में जो संस्कार डाल दिये जाते हैं वे चिता तक जाते हुए छटा नहीं करते । ७५ प्रतिशत संस्कारों का निर्माण ६ वर्ष की अवस्था के पहले पहले हो जाता है, ऐसा हमारे यहां के पुराने ग्रंथों में लिखा हुआ है । आज हमारे देश में उन मस्तिष्कों में चलचित्रों आदि द्वारा भ्रष्टाचार और अन्य बुराइयां आती चली जा रही हैं । इस चीज का बहुत बड़ा कारण यह है कि मनुष्य धर्म से दूर होता चला जा रहा है । आप ने इस बात का अनुभव किया और अनुभव करके श्रीयुत श्री प्रकाश की अध्यक्षता में एक कमेटी भी इस के लिए बिठलाई । उस कमेटी ने आप को रिपोर्ट भी दे दी है । सम्भव है कि आप आगामी अधिवेशन में उस को चर्चा का विषय बनायें और कुछ इसी प्रकार से उस को व्यवहारिक रूप दें । लेकिन मैं चाहता हूं कि उच्च श्रेणियों की अपेक्षा जो छोटी श्रेणियों के बच्चे हैं, भले ही आप उस को किसी रूप में रक्खें, मैं किसी बात के लिये आग्रह नहीं करता परन्तु प्रारम्भिक शिक्षा का स्वीकृत आधार, सर्वमान्य आधार जो भी आप रक्खें उस में ऐसा अवश्य होना चाहिये कि छोटे क्लासों में पढ़ने वाले जो बच्चे हैं उन को धर्म का ज्ञान, अपनी परम्पराओं का, नैतिकता का, ईश्वर का ज्ञान हो ताकि वे भावी जीवन सुसमय व्यतीत कर सकें ।

श्री श्रीनारायण दास (दरभंगा) : उपाध्यक्ष महोदय, सदन के सामने दिल्ली प्रारम्भिक शिक्षा विधेयक को प्रवर समिति को सुपुर्द करने का जो प्रस्ताव उपस्थित हुआ है मैं उस का समर्थन करता हूं । मेरा ख्याल है कि जिस दिन हिन्दुस्तान में बालिग मताधिकार का नियम बनाया गया और प्रजातंत्र की स्थापना की गई उसी दिन इस प्रारम्भिक शिक्षा को निशुल्क और अनिवार्य कर देना चाहिये था । यह बात सही है कि इसे करने में बहुत सी कठिनाइयां थीं, लेकिन मैं समझता हूं कि उन कठिनाइयों का मुकाबला हमें बहादुरी के साथ करना चाहिये था, और प्रजातंत्र को सफल बनाने के लिये यह सब से बड़ा प्रयत्न होता । लेकिन ऐसा करना अभी तक सम्भव नहीं हो सका । आज भी जो विधेयक हमारे सामने है उस में जो योजना है उस में क्रमशः इस काम को करने का इरादा रक्खा गया है । खैर, देर आयद दुरुस्त आयद । यद्यपि इस विधेयक का स्कोप दिल्ली तक ही सीमित है लेकिन मेरा ख्याल है कि केन्द्रीय सरकार ने यह निश्चय कर लिया है कि तृतीय पंच वर्षीय योजना के अन्दर सारे देश में विभिन्न राज्यों के सहयोग से इस स्कीम को पूरा किया जायेगा ।

इस सम्बन्ध में जो सब से पहली बात मैं कहना चाहता हूं वह यह है कि इस विधेयक का जो नाम रक्खा गया है : "दिल्ली प्राइमरी एजुकेशन बिल," उस के अन्दर मेरे ख्याल से जो प्राविजन्स हैं उन में विशेष रूप से महत्व है निःशुल्कता और अनिवार्यता का । इस लिये उस का नाम अगर "दिल्ली निःशुल्क और अनिवार्य शिक्षा विधेयक" रक्खा जाता तो उस से एक नया आकर्षण पैदा होता । इस बिल को पढ़ने से तो यही मालम होता है कि इस का मुख्य उद्देश्य यह है कि शिक्षा को निःशुल्क और अनिवार्य किया जाय । प्राइमरी शिक्षा तो अभी भी सारे देश में चल रही है, लेकिन निःशुल्कता और अनिवार्यता का जो सम्बन्ध है, वह इस विधेयक के नाम से स्पष्ट नहीं होता । इस लिये मैं समझता हूं कि इस का नाम जैसे मैंने बतलाया है उस तरह से रक्खा जाना चाहिये था ।

इस के सम्बन्ध में जो दूसरी बात म कहना चाहता हूं वह यह है कि हमारे लिये यह बहुत ही विचार का विषय है कि क्या कारण है कि आज भी जब हम अपने देश में शिक्षा को निःशुल्क और अनिवार्य करने जा रहे हैं, तब शिक्षा जैसे विषय में हमें दंड की

[श्री श्रीनारायण दास]

व्यवस्था करनी पड़ती है। अगर कोई नागरिक अपने बच्चे को खुशी के साथ पढ़ने के लिये नहीं भेजता है तो क्यों नहीं भेजता है, यह हमें सोचना चाहिये। मैं समझता हूं कि हमारे देश की जो प्रणाली है, हमारी जो सामाजिक प्रणाली है उस में कोई गम्भीर दोष है, जिस की वजह से शिक्षा की जैसी व्यवस्था हम करने जा रहे हैं उस में हम को इस लिये किसी नागरिक को दंड देना पड़ेगा कि वह अपने लड़के को या लड़की को स्कूल में नहीं भेजता है। मैं समझता हूं कि हम जो विधायक यहां बैठे हुए है उन के लिये यह सोचने की बात है कि क्या कारण है कि आज इस १९६० ई० में जब कि राज्य की तरफ से अनिवार्य और निःशुल्क शिक्षा की व्यवस्था करने हम जा रहे हैं तो हमें इस बात का ख्याल होता है कि अगर हम इस में दंड का विधान नहीं रक्खेंगे तो नागरिक अपने बच्चों को स्वेच्छा से पढ़ने के लिये नहीं भेजेंगे। हमारे देश की जो आर्थिक व्यवस्था है, हमारे देश की जो सामाजिक व्यवस्था है और हम ने अब तक स्वतंत्रता प्राप्ति के बाद जो कुछ भी व्यवस्था की है, उस के होते हुए भी संविधान में हम ने एक तरह से जो मुख्य उद्देश्य माना है कि सब को बराबरी का मौका दिया जायेगा, यह कागज में ही है। बराबरी का मौका हम न तो अपनी शिक्षा संस्थाओं में दे सके हैं न विकास में दे सके हैं और न बेकारी और रोजगार की समस्या को हल करने में दे सके हैं। यह जो कहा गया है कि सब को बराबरी का मौका दिया जायेगा यह केवल कहने की ही बात है। यह सिद्धान्त की बात है, लेकिन व्यवहार में बिल्कुल नहीं आई है। यही कारण है कि मुझे इस विधेयक को पढ़ने के बाद दुःख होता है कि इस में कहा गया है कि गरीब आदमी अगर किसी वजह से अपने लड़के या लड़की को स्कूल नहीं भेज सकेगा, तो उस पर २ रु० जुर्माना किया जायेगा। आज वह खाने के लिये मोहताज है उस के लिये अन्न नहीं है, बच्चे से मदद ले कर, बकरी चरवा कर, मवेशी पाल पोस कर अपना जीवन निर्वाह करता है, अगर किसी वजह से वह अपने बच्चे को स्कूल नहीं भेज सकेगा तो जुर्माना क्या होगा? २ रुपया ही जुर्माना होगा, लेकिन देने के लिये लायेगा कहां से यह मेरी समझ में नहीं आता है। जो गार्जियन सुबह से ले कर शाम तक मेहनत करता है, जो स्त्री सुबह से शाम तक मेहनत करती है, फिर भी वह भर पेट भोजन अपने लिये मुहैया नहीं कर सकती है। ऐसे आदमी भी हमारे देश में हैं जो काम करना चाहते हैं, लेकिन हम उन को काम नहीं दे पाते हैं और इसी लिये वे भखे रहते हैं। ऐसे बच्चों के लिये हम सिर्फ फीस माफ करने का इन्तजाम करने जा रहे हैं। उन को अनिवार्य रूप से अपने बच्चों को पढ़ाना होगा। यह खुशी की बात है कि आप उन से फीस नहीं लेंगे लेकिन पढ़ने में केवल फीस की ही बात नहीं है, उस में किताब का भी खर्च आता है, जीवन निर्वाह के दूसरे साफन आते हैं। स्कूल में बच्चा पढ़ने जायगा तो उसे अच्छे कपड़े चाहियें, फटे चीथड़े पहन कर वह स्कूल में नहीं जा सकता है। इस लिये मैं समझता हूं कि हम को गम्भीरता पूर्वक विचार करना चाहिय, इस बिल को लागू करने के पहले कि केवल निःशुल्क और अनिवार्य शिक्षा विधेयक पास करने से काम चलने वाला नहीं है। मैं समझता हूं कि जब आप निःशुल्क शिक्षा करते हैं तो गरीब बच्चों के पढ़ने के सम्बन्ध में जितना भी खर्च होता हो, वह स्टेट को देना चाहिये। दूसरे लोगों से, जो देने लायक हैं, भले ही आप वसूल कीजिये, टैक्स लगाइये लेकिन अगर आप चाहते हैं कि गरीबों के बच्चे स्कूलों में पढ़ें तो न केवल आप को उन से फीस ही लेनी\ चाहिये बल्कि फीस के साथ साथ किताबों का दाम, कपड़े का दाम, स्कूल के अन्दर आने से उन का जो खर्च बढ़े, उस को समाज को उठाना चाहिय। अगर समाज इस खर्च को नहीं उठा सकता है तो अनिवार्य और निःशुल्क शिक्षा करने का आप को

अधिकार नहीं है। इसलिये यह जो दंड विधान इस विधेयक में किया गया है मैं समझता हूं कि उसे नहीं होना चाहिये था। यदि वह न होता तो अच्छा होता। आप लोगों में प्रचार करें, उन को समझावें तो निश्चित रूप से कौन ऐसा गार्जियन होगा जो अपने बच्चे को अनपढ़ रखना चाहेगा। मजबूरी से, चूंकि वह स्कूल में बच्चे को नहीं भेज सकता है, गरीब होने के कारण, इसलिये अगर इस में आप दंड का विधान पहले से न रक्खें तो एक अच्छा उदाहरण होगा और लोगों के लिये भी एक अच्छा काम होगा।

इस के सम्बन्ध में मैं एक बात यह कहना चाहता हूं कि यहां पर टैक्स्ट बुक्स की चर्चा आई है। अब पहले पुराने जमाने में ७, ७, ८, ८ और १०,१० साल तक कोर्स में वही टैक्स्ट बुक लगा करती थी और इस से खास तौर पर ऐसे गरीब बच्चों के माता पिताओं को बड़ी सुविधा रहती थी क्योंकि हर साल उनको किताब खरीदने के वास्ते पैसा खर्च नहीं करना पड़ता था और होता यह था कि एक ही किताब में गरीब के कई बच्चे कई साल तक काम चला लिया करते थे और आज जो यह दिक्कत हो गई है कि हर साल कोर्स की किताबें बदल दी जाती हैं उस की वजह से गरीबों को बड़ी कठिनाई पड़ती है क्योंकि किताबों के वास्ते उन के पास पैसा नहीं रहता है और वे इस स्थिति में नहीं होते कि हर साल वे नई किताबों पर रुपया सर्फ कर सकें। आज देखने में आता है कि हर साल कोर्स की किताबों में फेर बदल कर दिया जाता है वैसे देखा जाय तो सिर्फ टेक्स्ट बुक का नाम बदल दिया जाता है केवल उस का ढांचा बदल दिया जाता है लेकिन देखा जाय तो चीज वही है। मैं समझता हूं कि यह चीज बहुत खतरनाक है। क्योंकि इससे गरीबों को अपने बच्चों को पढाने अत्यधिक कठिनाई कहसूस होती है।

आप ने इस बिल में यह व्यवस्था रक्खी है कि जो शख्स अपने बच्चे को प्राथमिक शिक्षा नहीं दिलवायेगा उस को दंड दिया जायेगा। अब आप ने जो यह दंड की व्यवस्था और जुर्माना करने की व्यवस्था रक्खी है तो आखिर वह गरीब मां बाप यह दो रुपये आप को जुर्माना देने के लिये कहां से लायेंगे? अब अगर वह जुर्माना अदा करने की स्थिति में न होगा तो उस को पकड़ कर जेल में भेज दिया जायेगा। मैं यह चीज स्पष्ट कर दूं कि मैं ऐसे गरीब लोगों के वास्ते यह जो दंड देने और जुर्माना करने की व्यवस्था की जा रही है उस को कुछ उचित नहीं समझता!

उपाध्यक्ष महोदय : अब माननीय सदस्य अपना भाषण समाप्त करें।

श्री श्री नारायण दास : वैसे मुझे अभी कहना बहुत कुछ था लेकिन चूंकि आप का मुझे समाप्त करने का आदेश मिल चुका है इसलिये मैं और अधिक न कह कर आखिर में यही कहूंगा। जैसे कि हमारे बहुत से भाइयों ने कहा है इस में बहुत से कारण दिये हैं जिन के होते हुए लड़के को अनिवार्य रूप से स्कल जाने के लिये बाध्य नहीं किया जायगा और मैं समझता हूं कि यह मुनासिब ही है क्योंकि जब तक हम अपने देश में लोगों का आर्थिक स्तर उन्नित नहीं करते, गरीबों की आर्थिक स्थिति में सुधार नहीं करते और बेकारों को काम पर नहीं लगाते तब तक एसे गरीब लोग जोकि बच्चों को स्कूल में पढ़ाने का खर्चा नहीं दे सकते उन को जबर्दस्ती अपने बच्चों को स्कूल भेजने के लिये बाध्य करना उचित न होगा। मैं समझता हूं कि ऐसे गरीबों को रिलीफ मिलनी चाहिये और जब तक हम इन बातों का पूरा इन्तजाम नहीं कर लेते तब तक उन के साथ जबर्दस्ती करना और उन को दंड देना और जुर्माना करना ठीक न होगा। आखिर वह गरीब जिस के कि पास खाने तक को पैसा नहीं है वह आप को यह १, २ रुपया प्रतिदिन जुर्माना कहां से अदा करेगा? मेरी समझ में आज की वर्तमान स्थिति में

[श्री श्रीनारायण दास]

इस तरह की दंड की व्यवस्था रखना एक तरह से गरीबों के साथ अन्याय ही करना होगा और मेरा आग्रह है कि इस तरह का दंड देने का नियम नहीं बनना चाहिये । इन शब्दों के साथ मैं इस विधेयक का समर्थन करते हुए यह कहना चाहूंगा कि खास कर हिन्दुस्तान जैसे देश के अन्दर जहां कि गरीब लोगों के पास तन ढांकने को कपड़े लत्ते भी नहीं हैं उन को आर्थिक तौर पर ऊपर लाने के बाद ही इस विधेयक को लागू किया जाये।

श्रीमती लक्ष्मी बाई (विकाराबाद) : मुझे भी पांच मिनट का समय देने की कृपा की जाये ।

Shri D. C. Sharma: Mr. Deputy-Speaker, I think very greatly of this Bill, because it confers a great right on the children of India. To begin with, we are giving that right to the children of Delhi and I hope in a few months' time or in a year's time that right will be coferred upon every child of India, a child who is between the ages of 6 and 11. This right, I think, has been long overdue and I am glad that we have found it possible to give this right to our children today. Education cannot exist in a vacuum. Education is not something which can be divorced from the social, economic and administrative set-up of the country. What is the set-up in which we are living? This Bill is merely the bare bones of education and, I tell you, if we are doing that, we are cheating the children of India. Nothing can be worse than this. I feel that along with the bare bone of education, education should have flesh, education should have blood, and education can have that only if the social context of education has been recognized, the economic consequence of education has been recognized and the general climate of our country is recognized.

What is the general climate of our country? We are living in a Welfare State? I ask myself: is this Bill meant for a Welfare State? Certainly not. Unless the realities of this Bill are related to the exigencies of the welfare State, I think this Bill loses 90 per cent of its potency and efficacy. How can that be done? That can be done only if we insist upon a certain quality in our education. Mere quantitative expansion of education is no good. It is leading us nowhere.

Now, what is an approved school? There are schools in Delhi which are being located in tents. These are approved schools. There are schools in Delhi which declare a holiday when there is a rain or a hailstorm. They are approved schools. What is an approved school. I want to know from you, Sir, because I am adressing you. What is the definition of an approved school? An approved school is one where the teachers have not been paid for six months in Delhi.

An approved school is one where you find that students have been overcharged the fees and they are trying to get back their fees. Do we want our children to go compulsorily to these approved schools? I think if I were a father and I had a son six years old who could be sent to a school, I would say, 'Please do not go to school'! I would rather pay the fine and go to jail than send my children to a school like that.... (*Interruption*).

Therefore I submit very respectfully that you must define what you mean by 'approved school', what kind of building it should have, what kind of furniture it should have, what kind of teachers it should have and what kind of amenities it should have for children. My hon. friends had been talking about mid-day meals for children. Why do we have to talk about that? Our hon. Prime Minister has been talking about that. All these things should be there in the Bill. If you cannot bring it within the body of the Bill, I think you should kindly bring it within the rules which you are going to have so far as delegated legislation is concerned.

Cheating is bad in all cases and in all circumstances, but to cheat the rising generation, to cheat our children is the biggest crime that we can perpetrate..... (*Interruption*). I would say that something should be done. We have to remove this defect. That is the first point.

The second point that I want to make is that we should have one type of education for all our children. I think basic education is the national pattern of education. But then you have so many different patterns of education in the country. I think we should decide upon what kind of education we are going to give to our children. Along with that, I want to know whether that kind of pattern is going to be there for all.

I read about Japan. There the Emperor's son and the washerman's son go to the same school. I am not one of those who want the public schools to be closed. I am not one of those persons.

An Hon. Member: But I am.

Shri D. C. Sharma: You are. You do many mad things. But I do not do that. What I was submitting was that the Emperor's son goes to the same school as the cobbler's son. I would like that we should do something of that kind. There should be perfect democracy so far as the attendance of children at school is concerned. That should be like that. I would say that in the first five years of life you should make it compulsory for every boy. . . . . (*An Hon. Member*: And girl.) whether he is the Prime Minister's son or the President's son to go to the same school, otherwise our democracy will be a farce and we will not be able to build up the right type of man.

The next point I want to make is that exemptions sometimes are very dangerous. Sometimes the exemptions are like the tail which starts wagging the dog. I would therefore, say that these exemptions should be done away with. If you are going to have any exemptions, those exemptions should be subject to revision by some authority which is the highest authority in education.

Another point which I want to make is that so far as the grant is concerned, we have clause 19, which says:

> "If a scheme submitted by a local authority is sanctioned under sub-section (4) of section 3, the State Government shall bear such percentage of the recurring and non-recurring cost of the scheme as it may from time to time determine."

I think, it is a very very vague thing and you cannot have education under those circumstances. I think education should be a charge of the State and therefore education grants should be given as liberally and as generously as possible. There should be a provision here that the State will meet all the charges of education in primary schools minus those which accrue from fees and other things.

Mr. Deputy-Speaker: The hon. Member's time is up.

Shri D. C. Sharma: One minute more Sir:

Then there is another thing here.

> "No person shall employ a child in a manner which shall prevent the child from attending an approved school."

I welcome this because I know that child labour is practised in my country. Some hon. Member was talking about bidi workers. I think the bidi workers are the most sweated form of labour in my country and if I have the power I would close down most of these bidi factories.....

An Hon. Member: Do away with them.

Shri D. C. Sharma:..... because in those bidi factories it is children who are brought to work and those children are sometimes brought there and are asked to quit whenever any

[Shri D. C. Sharma]

inspector comes. So I say that it is a good provision. But some details should be given here so that nobody can take shelter behind these general words.

With these remarks I welcome this Bill.

Mr. Deputy-Speaker: I am sorry that some hon. Members could not be given a chance. The hon. Minister.

श्रीमती लक्ष्मी बाई (बिकाराबाद) : मुझे पांच मिनट का समय दिया जाए।

उपाध्यक्ष महोदय : दूसरे बिल पर आप बोल लें, वह भी बच्चों का है, मैं अभी आपको वक्त नहीं दे सकता क्योंकि मंत्री जी को जाना है।

Dr. K. L. Shrimali: Mr. Deputy-Speaker, Sir, the present Bill has a very limited scope. It is confined only to the Union territory of Delhi. But it is natural that the hon. Members should have referred to the broader problems and should have also expressed anxiety as to what is going to happen to the rest of the country. I had already said that it will be our endeavour to recommend to the State Governments to introduce similar legislation as soon as possible. In fact, I may take the House into confidence and say that we are giving the highest priority to the introduction of free and compulsory education in the next Plan, that is, the Third Five Year Plan. I hope that the work will not suffer on account of lack of financial resources.

I think I share the feelings of various hon. Members who had said that when we introduce compulsion we have to take into account the social and economic conditions of our people. Compulsion becomes meaningless for semi-starved and semi-naked children. In order to make compulsion effective in education we should also make arrangements for mid-day meals, clothes and text books because millions of our children are deprived of these basic needs. But we have also to examine whether the State can take the full responsibility in this matter.

As far as the Central Government are concerned, they are discharging the responsibility to their best capacity and they will give financial assistance to the State Governments to implement this directive of the Constitution. But an effort has also to to be made by State Governments by levying education cess or by making other provisions so that they can also supplement the effort of the Central Government.

As far as these problems of mid-day meals, clothes, uniforms for children and textbooks are concerned, they are all essential and they must be provided for. But in this matter all the agencies, the community, the local authorities, the State Governments, the Central Government—all will have to pool their efforts and will have to act as partners in this great adventure. It is only then that we can fulfil this dream of ours and we can really fulfil our social objectives. In this matter I share the feelings, hopes and aspirations of the rest of the hon. Member and I hope that this is a beginning of the great adventure which we have undertaken.

With regard to this Bill some points have been raised. Hon. Member, Shri Barrow, has raised the point whether there is any provision for giving directions to the local authorities and what would happen if the local authorities are not able to prepare the schemes and implement this programme.

This Bill has to be read along with the Delhi Municipal Corporation Act, 1957. Section 487 provides for the giving of directions by the Central Government, and section 488 says how

they can be enforced. Section 489 is also important in this respect. Therefore, there is already a provision for giving directions to the local authorities. If they do not prepare the schemes—I have no reason to doubt that the local authorities will not undertake this programme, but if they do not—there is already a provision for giving directions, and, therefore, it was not necessary to make separate provision in this Bill.

I was rather surprised that Shrimati Renu Chakravartty raised objection to clause 9 which says:

> "No person shall employ a child in a manner which shall prevent the child from attending an approved school."

I cannot see how anybody can take exception to this provision. If we consider that it is the right of every child to have the minimum necessary education in a civilised society, obviously, we have to create conditions under which a child cannot get that education. If there are conditions under which a child cannot get that education, then we have, by legislation, to help the child in getting the minimum necessary education. It does not prevent the child from seeking any kind of employment. Personally, I would like to see the day when the children between the ages of six and fourteen ca, devote all their time to education. But we also know that in our social and economic conditions, the child is an important factor in the economic life of the family. This clause does not prevent a child from seeking employment, but it certainly prevents a child from seeking employment in a manner which will prevent him from attending a school. I think that should be made clear.

In fact, in Delhi, in the rules that we are drafting under this Bill we are making provision for part-time education. The vast majority of the children in the rural areas either do some kind of work for the family or due to economic conditions, take up some kind of employment. It is not our intention that the children should be deprived of that opportunity or that anybody who gives employment to the children should be punished. But we certainly propose to take action against those agencies which employ the children in a manner which would prevent them from having even the part-time education. And part-time education is going to be an important programme in this whole scheme of compulsory and free education.

Clause 7 and the various sub-clauses in it came in for a great deal of criticism. It was suggested that the children should not be given any exemption at all. I am in general agreement with this view that as far as possible no child should be exempted from attending a school. But we have also to look at it from the practical aspect. There may be certain conditions under which a child may not be able to attend a school. We have to be idealistic, but we have to approach the problem also in a practical manner. In this clause, certain situations have been enumerated under which it may not be possible for the child to attend school. Of course, if there are no approved schools in the area, obviously compulsion cannot be introduced. It will be the duty of the local authority to establish a school before they can make it compulsory. Education cannot be made compulsory unless some kind of approved schools exist in that area. This is obvious.

Dr. M. S. Aney (Nagur): In certain clauses, the possibility has been left of the period of compulsion differeing in diferent States and in different schools also. Does the hon. Minister not think that there should be some kind of uniformity as a necessary condition for the proper progress of this compulsory education?

Dr. K. L. Shrimali: If I have been able to follow the point, the hon. Member probably desires that there should be uniformity all over the country with regard to the

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duration, that is, the duration of the elementary stage or the period for which the children have to be under this compulsion.

In this matter, the last say will have to be left to the State Governments. The directive in the Constitution is clear that free and compulsory education should be for the children between the ages of six and fourteen. In our present economic conditions, we have unfortunately come to the conclusion that we do not have adequate financial resources to make education free and compulsory for that age group. Therefore, we have reduced the target, and we are advising the State Government to make it free and compulsory at least for the age group six to eleven, and I hope that as we make it compulsory for Delhi, the other States will also follow the same pattern. But if some State Government can find additional resources, certainly we would not like to suggest to them that they should sit back till the other States also have gone forward. In fact, if they can find additional resources, we would certainly welcome it; we shall certainly welcome if any State goes forward in this direction.

There was also a proposal or a suggestion that there should be no private approved schools. I am afraid I have not been able to understand that argument. There is nothing in the Constitution which debars anybody or any agency or any society or any community to establish a private institution. I do not understand under what provision we can prevent anybody from having a school of his own liking or his own choice. There is nothing in the Constitution which empowers Government to stop these schools or to close down these schools. In fact, if we have some of these voluntary institutions and voluntary agencies, the burden of the State is lessened. At this time when we require all our resources for the expansion of education, it would be highly undesirable also, to discourage the voluntary agencies. In fact, it is the policy of the Government to encourage voluntary agencies as much as possible so that they can share to some extent the burden of Government in this mater.

Shri Sinhasan Singh raised the question with regard to neglected children and asked what would happen to the children who have no parents or who are not being owned by anybody. Immediately after this motion is passed, I shall be moving the motion for concurrence in regard to the Children Bill which will take care of the neglected children.

As far as the other Union Territories are concerned, I have already given an assurance to the House that in the near future, I shall bring forward a Bill which will cover the Union Territories also. The reason why we have not included the other Union Territories within the purview of this Bill is that there are certain difficulties with regard to the tribal areas.

Whatever we may say, it is a reality to be faced that it is not possible to introduce compulsion among the tribal people right away. We would certainly like to make education available to them as early as possible, but I am very doubtful whether compulsion will yield any fruitful results.

Shri Radha Raman: Can we not have a Bill in which we exclude these areas, but which covers the rest?

Dr. K. L. Shrimali: As I said, I am proposing to bring forward a Bill for that purpose.

The question was also raised with regard to raising the quality of education. This is an eternal question—quality and quantity. In a democracy, there is always pressure for quantitative expansion. We must continue to expand education so that it is accessible to all the children of the community. At the same time, democracy cannot function effectively unless we improve the quality of education. Therefore, these rival claims must be reconciled and while we expand our education, we must also try to improve the quality. So I am in

general agreement with the Members that when we are expanding education, we should not neglect the quality and the standards in any way.

I do not agree with Shri D. C. Sharma who said that the conditions of schools in Delhi were so horrible that he would never send his child to a school here. It is true that on account of various reasons some of the schools have been in tents and the condition of some of the schools has not been satisfactory. But conditions have considerably improved during the last two or three years. New buildings are being put up and within a couple of years there will be no tents in Delhi; we will have proper school buildings for all the schools, and even Shri D. C. Sharma might like to send his child to those schools.

Shri Radha Raman: He has no child.

Dr. K. L. Shrimali: By improving the quality of teachers, we can improve the educational system. Shri Prakash Vir Shastri and other Members rightly stressed the importance of improving the quality of teachers. Government are fully aware of this. In fact, in our whole programme, we have attained the highest importance to improvement of the quality of teachers. At present, we are giving cent per cent financial assistance to State Governments to expand their teacher-training facilities through teacher-training institutions to be set up. I hope the House will appreciate the effort which the Government of India are making in this direction.

Shri Barrow: What about the responsibility for paying good salaries? That is the point.

Dr. K. L. Shrimali: The Government of India have made some efforts in this direction, though they have not given very good results. But as far as we are concerned, we have told the State Governments that we will bear 50 per cent. of the expenditure if the State Governments are prepared to bear the balance of 50 per cent. But many of the State Governments have not come forward to increase the salaries, but some of them have. But the increament has not been very substantial.

Shri Sinhasan Singh: Is it under contemplation of Government to see that no teacher is paid less than a *chaprasi*?

Dr. K. L. Shrimali: I do not see why we should always compare the teacher with the *chaprasi*. The *chaprasi* should have his minimum wages. Teachers also must be given minimum wages. Both the *chaprasis* as well as teachers exercise certain functions in society. Therefore, I personally do not like this kind of comparison, that the teachers are being paid less than the *chaprasis*. We must pay teachers higher salaries if we want to attract talented persons into the teaching profession. The Government of India on their part have made an earnest effort during the last three or four years to improve the salaries of teachers. We have told the State Governments that we would pay 50 per cent of the expenditure, if they can also find the balance 50 per cent. Some State Governments have increased the pay, but we are not satisfied with the increment. It is our continuous effort to improve the salaries of teachers because I am convinced that no educational reform is possible in this country unless we have better qualified teachers in the teaching profession.

Shri C. R. Pattabhi Raman: There is also the question of housing. In most cities, the housing problem is there.

Dr. K. L. Shrimali: Shri Shree Narayan Das referred to the penalty clause. I think it is necessary. In fact, the whole of this programme will be ineffective unless some kind of penalty is there, unless people realise that if they do not send their children, they will have to pay some kind of penalty. At the same time, I must make it clear that the whole emphasis of this Bill is on educating

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public opinion and parents and not on punishing the parents.

I should not like to take more time of the House. I hope the various suggestion made by hon. Members will be given full consideration by the Joint Committee.

Mr. Deputy-Speaker: The question is.....

Shri Sinhasan Singh: I want to ask only one question.

Mr. Deputy-Speaker: That would take time.

The question is:

"That this House concurs in the recommendation of Rajya Sabha that the House do join in the Joint Committee of the Houses on the Bill to provide for free and compulsory education for children in the Union Territory of Delhi made in the motion adopted by Rajya Sabha at its sitting held on the 14th April, 1960, and communicated to this House on the 16th April, 1960 and resolves that the following members of Lok Sabha be nominated to serve on the said Joint Committee, namely, Shri Amjad Ali, Shri M. Ayyakannu, Shri Chun Lal, Shri Shankarrao Khanderao Dige, Shri V. Eacharan, Shri Aurobindo Ghosal, Shri Kanhu Charan Jena, Shri Nemi Chandra Kasliwal, Shri Chhaganlal M. Kedaria, Shri N. Keshava, Shri Baij Nath Kureel, Shri Nibaran Chandra Laskar, Shri N. B. Maiti, Shri Ram Chandra Majhi, Shri Jiyalal Mandal, Shrimati Minimata Agamdas Guru, Shri R. Govindarajulu Naidu, Shri C. Krishnan Nair, Shri P. K. Vasudevan Nair, Shri Naval Prabhakar, Shri Ram Saran, Shri Devulappali Venkateswar Rao, Shri Bhola Raut, Shrimati Renuka Ray, Shri Birbal Singh, Dr. M. V. Gangadhara Siva, Shri Shraddhakar Supakar, Shri Shiva Dutt Upadhyaya, Shri Atal Bihari Vajpayee and Shri Balkrishna Wasnik".

The motion was adopted.

15·36 hrs.

THE CHILDREN BILL

The Minister of Education (Dr. K. L. Shrimali): I beg to move:

"That this House concurs in the recommendation of Rajya Sabha that the House do join in the Joint Committee of the Houses on the Bill to provide for the care, protection, maintenance, welfare, training, education and rehabilitation of neglected or delinquent children and for the trial of delinquent children in the Union Territories made in the motion adopted by Rajya Sabha at its sitting held on the 15th February, 1960, and communicated to this House on the 18th February, 1960, and resolves that the following members of Lok Sabha be nominated to serve on the said Joint Committee, namely, Shri P. Subbiah Ambalam, Shri S. R. Arumugham, Shri S. M. Banerjee, Shri Dharanidhar Basumatari, Shri Bhakt Darshan, Shri Laxmanrao Shrawanji Bhatkar, Shri J. B. S. Bist, Pandit Braj Narayan "Brajesh", Shri Akbarbhai Chavda, Shri Daljit Singh, Shri Nayantara Das, Shri Shree Narayan Das, Shri Resham Lal Jangde, Shri M. R. Krishna, Shrimati Sangam Laxmi Bai, Shri Mathew Maniyangadan, Shri Mohan Swarup, Shri J. G. More, Shri Mohan Nayak, Dr. Sushila Nayar, Shrimati Uma Nehru, Shri Deen Bandhu Parmar, Shri Uddaraju Ramam, Shri Ram Garib, Shri Mahadevappa Rampure, Shri Radha Charan Sharma, Shri Prakash Vir Shastri, Shri Babu Nath Singh, Shri Prabhu Narain Singh and Shri Tula Ram".

In moving this Motion, I should like to make a brief reference to some of the salient features of this Bill. Unfortunately, this is a rather ill-fated Bill. In 1954, a Bill for Part C States was introduced in the Rajya Sabha and later in the Lok Sabha. The Select Committee of the Lok Sabha on the Children's Bill, however, recommended its withdrawal, as on the reorganisation of States a number of Part C States like Vindhya Pradesh and Ajmer disappeared and other Part C States which became known as Union Territories, with the exception of Delhi, were not in need of such legislation since the problem was not acute.

On close examination, it was found that the Union Territory of Delhi did need a legislation of this type. At present the Bombay Children's Act, 1924 is in force in Delhi. On examination, it was found that this Bill was outmoded and it was rather punitive than positive and promotive. As far as the education and training and rehabilitation of children is concerned, our main emphasis should be on education rather than on punishment.

There were several alternatives before us. We could introduce legislation in Parliament designed to repeal the Bombay Children's Act, of 1924, and to extend to Delhi the Bombay Children Act, 1948, as subsequently amended, or to permit to continue the application of the Bombay Children Act of 1924 with such amendments as may be necessary, or introduce a Children Bill which would be suitable to all Union territories. On close examination we found that the last alternative was the best one because we would be able to have a proper Bill for Delhi and other Union territories.

The salient features of the present Bill are, firstly, we have fixed the age of the child. For this Bill the age of the child has been fixed as 16 for boys and 18 for girls. A higher age has been provided for girls because girls need protection for a longer period than the boys.

The Bill also makes provision for the care of neglected children. This is a new provision, and I think the House will generally welcome this provision. Neglected child has been defined as a child who—

> "is found begging; or
>
> is found without having any home or settled place of abode or any ostensible means of subsistence or is found destitute, whether he is an orphan or not".

This would cover the type of cases which our friends had in view.

> "or has a parent or guardian who is unfit to exercise or does not exercise proper care and control over the child;"

Most of the difficulties and maladjustments of children arise because of the sense of insecurity which the children have to face at an early period. It is during that period that preventive measures have to be taken. If you study the life history of the criminals, you will find that most of them are neglected in early childhood and face all kinds of insecurities and maladjustments. Therefore, it was thought necessary that some provision should be made to take care of these neglected children.

At present, under the present Act, there is no provision for this category of children. This is a new provision which we have made in this Bill. It also enjoins that no child will be sent to prison whatever be the offence. It is now well recognised that children should not be treated as criminals. Children are not criminals. Even if they commit a crime, they do it on account of certain social and economic conditions under which they have to live, certain kinds of fear and anxieties from which they suffer, some kinds of environmental con-

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ditions which are detrimental to the proper development of their personality. Therefore, in this Bill, we have taken care to see that the child is not considered a criminal and that he is not sent to prison under any circumstances.

In the earlier 1954 Bill the children who had committed offences that are punishable by death or with imprisonment for lie were excluded from the provisions of the Bill. But, on careful thinking and on examination of other legislation in other progressive countries, we have come to the conclusion that under no circumstances should the child be sent to prison. They do not commit offences because they are born criminals but they commit offences because they are born under certain circumstances and they are forced into certain situations. Therefore, whatever measures we adopt must be preventive and we should not send them to prison. It will only make them confirmed criminals.

According to another provision in this Bill a child who would come under the purview of this Act would be brought before Children's courts and not before the ordinary courts. The Bill also prevents joint trials of adults and children and it also enjoins that, as far as practicable, one of the magistrates of the Bench should be a woman and no lawyers will be allowed in Children's courts and that Probation Officers will represent the case to the court. There has always to be a difference between Children's courts and the ordinary courts. In Children's courts, as far as possible, women should be the magistrates because they understand the psychology of the children and they are sympathetic towards them and the children are also not afraid of them. Therefore, it has been provided that, as far as possible, women should be magistrates, and no lawyers should be allowed in Children's courts. The cases should be argued by the Probation Officers who are familiar with children and who understand their needs and difficulties.

All these provisions have been made from the psychological point of view, the child's needs and his interests; and the whole emphasis throughout this Bill is that the child should not be treated as an ordinary criminal but as a person who is suffering from some kind of maladjustment on account of some emotional difficulties or some kind of social maladjustments.

In addition to these, there is a provision for having Children's Homes for neglected children; and special schools for juvenile delinquents have also been provided for.

The Bill also provides that no stigma will be attached to a child because he has committed an offence. Reports of the Probation Officers are to be treated as confidential and the names of children who have been tried or who have been sent to the court for one reason or another should not be given out.

There is another important chapter which has been introduced in the Bill which was not there in the 1954 Bill. This chapter deals with special offences in respect of children. Under this chapter any person who is found ill-treating children, or employing children for begging or exploiting children would be deemed to have committed an offence.

Recently, we have seen various kinds of reports about the kidnapping of children for purposes of begging; and it has also come to our notice through various sources that children are being exploited by various kinds of people and agencies. Therefore, a provision has been made to stop this malpractice.

In this whole programme, the Probation Officer will play a very important role and he would act as the

friend, philosopher and guide to the children. The institutions which are meant for these children need not be governmental institutions; they can be voluntary organisations; but they must be recognised for this purpose by the Administration as Children's Homes.

These are some of the special features of this Bill; and I hope the House will welcome it. Our whole approach in this Bill has been a psychological approach, to treat the child as a person and not to treat him as a criminal or a delinquent but to help him to readjust himself to certain circumstances and certain conditions. Most of the difficulties and problems of children arise because of certain emotional difficulties or because they have been living in unhygienic and unfavourable environment. Therefore, the approach should be preventive rather than punitive. It is with that approach that the whole Bill has been drafted and I move this motion for reference to the Joint Committee.

Mr. Deputy-Speaker: Motion moved:

"That this House concurs in the recommendation of Rajya Sabha that the House do join in the Joint Committee of the Houses on the Bill to provide for the care, protection, maintenance, welfare, training, education and rehabilitation of neglected or delinquent children and for the trial of delinquent children in the Union territories made in the motion adopted by Rajya Sabha at its sitting held on the 15th February, 1960, and communicated to this House on the 18th February, 1960 and resolves that the following members of Lok Sabha be nominated to serve on the said Joint Committee, namely:—

Shri P. Subbiah Ambalam, Shri S. R. Arumugham, Shri S. M. Banerjee, Shri Dharanidhar Basumatari, Shri Bhakt Darshan, Shri Laxmanrao Shrawanji Bhatkar, Shri J. B. S. Bist, Pandit Braj Narayan "Brajesh", Shri Akbarbhai Chavda, Shri Daljit Singh, Shri Nayantara Das, Shri Shree Narayan Das, Shri Resham Lal Jangde, Shri M. R. Krishna, Shrimati Sangam Laxmi Bai, Shri Mathew Maniyangadan, Shri Mohan Swarup, Shri J. G. More, Shri Mohan Nayak, Dr. Sushila Nayar, Shrimati Uma Nehru, Shri Deen Bandhu Parmar, Shri Uddaraju Ramam, Shri Ram Garib, Shri Mahadevappa Rampure, Shri Radha Charan Sharma, Shri Prakash Vir Shastri, Shri Babu Nath Singh, Shri Parbhu Narayan Singh and Shri Tula Ram."

Mr. Deputy-Speaker: Shri Warior. After him, I will call Ch. Ranbir Singh. The hon. Member may be brief. We have yet to go through two Bills before we rise for the day.

Shri Warior (Trichur): Mr. Deputy-Speaker, Sir, at the very outset I welcome this Bill and the most salient features that have been embodied in the Statement of Objects and Reasons of this Bill. This Bill provides for the care, protection, maintenance, welfare, training, education and rehabilitation of neglected or delinquent children. No more laudable cause can be expounded in the Bill specially confining to a growing city like Delhi. This Bill is confined only to the Union Territory of Delhi and we are glad that at least at this hour when so many things are expanding in all directions, the care of the children is also expanding in the eyes of the Government.

This Bill is necessitated by the fact that the Bombay Act which is applied to Delhi is not an adequate one and also the other Government of India Act of 1948. I hope that the Government has considered the experience gained in the implementation of those Acts, Bombay Act as well as similar Acts in other States also. What that experience is, it is not fully known to

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us. Anyway, if this Bill is an improvement upon those Acts out of experiences gained, naturally this Bill must become the model for other States to copy.

There is one disquieting feature and that is when we make any social legislation we always say that we have to make some inroads into the autonomy of the States. Sir, unnoticed the inroads are made in the economic field and in other fields. But when it comes to the question of social legislation, all sort of objections are taken. In the matter of education, in the matter of primary education—the Bill that we passed just now—and in the matter of Orphanages Bill that had been mooted here we had the same objection that we are making inroads into the autonomy of States. I think in the case of social legislation we could make some inroads but not exactly in the same way as in the economic and other fields. There it is more affecting the autonomy in practice. In the social field it is not so. So, I think, if it is possible without infringing the provisions of the Constitution we could take some authority in the Centre and give guidance and model Bills to the States and ask them to enact such legislation and implement the provisions thereof.

Another thing is that we must not have any dogmatic approach in all these things. In the field of social legislation there are sometimes controversies. For instance, there was much controversy when we passed the Hindu Code Bill. Certain controversies were raised but actually a very large section of our population has gained by that and very many families have welcomed that. So, I say, we must not have a dogmatic approach whenever we enact any legislation in the social sphere.

Sir, this problem of children is mainly an economic problem. We had also some experience in the jails as political prisoners. We had come across many cases of children also. It begins just like this. These children will work as coolies at the bus stands or at the railway stations. On and on some pickpocketing will be done. Then, all of a sudden the policeman will catch hold of them and send them to the jails. In the jails they learn more about the criminal activities. There they learn everything which they do not learn outside the jails. By the time some action is taken to reform them, they become incorrigible criminals and above all correction. So, there is a very salutary provision in the Bill. The hon. Minister had been pleased to say that the children will not be sent to the jails. The jails are the places where more dangerous and criminal activities are learnt. In fact, there are many people who did not smoke outside the jails and who learnt smoking inside the jails. So, also the children. I had many occasions to deal with these people even inside the jails and I have seen that if they had not been sent to jails, they would have been very good citizens.

Apart from this economic problem, there is another problem which has come to stay in this country and that is—I must inform the hon. Minister if he has not taken cognizance of that fact—the cinemas. The cinemas also play a very great role in creating so many juvenile delinquents as well as juvenile criminals. I had an experience of one small boy of school-going age. One day he saw a film and after seeing the film he went home. He had stolen something from his father's almirah or table and when his father asked him about it, he raised his pen-knife. It is the cinemas which make the children to act like that. That also has created a problem. Of course, there are certain films advertised as "Adults Only". But actually when that film is for "Adults Only", the more children go to see the film, and much of all these criminal tendencies are learnt from these cinemas.

Then there is another thing, that is, beggary. Beggary in this land is considered as holy. So, how can we say that we want the children to be taken away from beggary? Begging has become something holy and it is respected and we all give alms to the beggars. And if we see the beggars in a very sad plight, it is all the more. I have seen beggars going round in the trains and other places and some of the very respected people kneel down before them.

15.59 hrs.

[SHRI MULCHAND DUBE *in the Chair*]

If that is the custom in this country, then it is very difficult to prevent children from beggary. Sir, it is also a very lucrative business. Some of the beggars have come from different parts to the holy cities and they have minted great wealth also. There are some *sadhus* and they are actually minting a lot of money here in all the sacred places of the country. That aspect of the matter also must be considered when this question of beggary is tackled.

16 hrs.

Sir, I need not go into the details of this Bill. There is much scope for improvement in this Bill. I need not go clause by clause. But I will refer only to a few of them. The first thing is the definition itself. Before that, I will mention one or two points. The most important person in this Bill is the probation officer. What sort of intellectual equipment or training will be given to these officers? If this is entrusted to the police, we know what will happen. We have our experiences about the police and they would do more harm than good. I do not want to say all those things in the public here. The policemen have taught our young culprits more immoral things than they have learnt from outside. I have the experience of ten months' continuous lock up in police station and I have seen innumerable things. A probation officer cannot be of that sort. He must be an educated person and should have equipment, intellectual and otherwise. Otherwise, the whole object of the Bill would be sabotaged.

I shall now come to the constitution of the courts. The hon. Minister also referred to it. It says generally that there should be three magistrates and a small provision says that at least one woman must be there. It should have been the other way round and there should have been more women magistrates. It is better to entrust this work of dealing with children and juvenile delinquents to women than men. Mostly, the probation officers also could be women. Women officers would be preferable to male officers in primary education centres. We have seen that lady teachers are better and are preferred by children and parents than male teachers. The human touch should be so much there. The students and the small children require that human approach and that instinct and these are more to be found in the ladies than in men. So, probation officers may be more ladies than men.

These homes are very important. Any home will not be suitable. Because this Bill is coming after that Bill relating to education I am saying this. The period of teaching and the syllabus cannot be the same. We had seen certain places where the peasantry send their children to school. But magic lantern slides and such other attract the children more than the text books. So, in these homes, to make these children stick to them, there should be slides, cinemas, cultural forms and things like that. These homes must thus be fully equipped so that the children will have these attractions and continue there. By compulsion alone they may not stick on there. In these respects, there are certain clauses also which must be gone into.

In clause 10, sub-section (2) it is said:

> "Every such organisation shall take care of the children when

[Shri Warior]

they leave children's homes or special schools and shall, for the purpose of enabling them to lead an honest, industrious and useful life, take all such measures as it may deem necessary or as may be prescribed."

This is a very laudable objective, no doubt, but what is the provision for that? To which place will they go? A girl of 18 after leaving the care of such a home is left without any place to go. Which way will she go, if she is not married? What work will she have? What income will she have? How will she live? Sir, all these questions come up. If all these are to depend upon the Administrator, I do not know how he will solve them, provided sufficient provisions are made for that, sufficient funds are made available and sufficient institutions are created for that. Therefore, these things are not to be left vague like this.

There are also clauses 39, 40 and 42. All these need improvement. I think the Joint Committee must go deep into these provisions and effect sufficient improvement so that when the Bill emerges from the Joint Committee it will be a Bill well worth for other States also to copy.

चौ० रणबीर सिंह (रोहतक) : सभापति महोदय, इस विधेयक को प्रवर समिति के सिपुर्द करने की मैं ताईद करता हूं । इस बिल के पीछे जो भावना है वह बिल्कुल साफ है । इन्सान के अन्दर या बच्चों के अन्दर जो बद आदतें दाखिल होती हैं उनका ताल्लुक बहुत कुछ समाज के वायुमंडल से है । अगर समाज का वायुमंडल अच्छा होगा तो बच्चे अच्छे शहरी बनेंगे और अपने जीवन में कामयाब होंगे । इसी नुक्ते निगाह को मानते हुए इस बिल के अन्दर यह इन्तिजाम रखा गया है कि बच्चों को किसी जेल के अन्दर न भेजा जाये । आप जानते हैं कि आज भी जिन १४ साल से कम उम्र के बच्चों को सजा की जाती है उनको आम जेल के अन्दर नहीं रखा जाता बल्कि रिफारमेटरी के अन्दर रखा जाता है । मुझे एक सयासी कैदी की हैसियत से पंजाब के एक बोर्स्टल जेल में रहने का अवसर मिला था । वहां पर बहुत सारे बच्चे थे और आप जानते हैं कि पंजाब एक मजबूत सूबा है, इसलिए जो बच्चे वहां आते थे उनमें कुछ तो ऐसे होते थे कि जिन्होंने कत्ल में मदद की थी, कुछ ऐसे आते थे जिन्होंने डकैती या चोरी में हिस्सा लिया या मदद की, कुछ जेब कतरने के अपराध में भी वहां आते थे । वहां एक बात का खयाल रखा जाता था कि रात को दो बच्चों को साथ नहीं रहने दिया जाता था ताकि वे और ज्यादा बद आदतें न सीख लें । लेकिन आम तौर पर देखा गया कि जो लड़के वहां से निकलते थे वे बजाये अच्छी बातें सीखने के जुर्मों को ज्यादा सीख कर निकलते थे और दुबारिया बनने के ज्यादा लायक बन कर निकलते थे, वह यह सीख कर निकलते थे कि जुर्म को ज्यादा होशियारी से कैसे किया जाये । तो इस चीज को रोकना बहुत जरूरी है । इसके लिए दो चीजें जरूरी हैं । एक तो इस तरह के बच्चों को इसी तरह के दूसरे बच्चों से अलाहिदा रखना जरूरी है ताकि वे और बद आदतें न सीख सकें । ऐसे बहुत सारे बच्चों को इकट्ठा रखना, जिनमें कि बुराई की प्रवृत्ति है, कोई ज्यादा अक्लमन्दी का काम नहीं होगा । तो इसलिए हमको इस काम में बहुत होशियारी से चलना होगा ।

दूसरी जरूरी चीज इस के लिए वह है कि ऐसे बच्चों को उनके माता पिता से, अगर वह माता पिता जुर्म करने वाले हैं, अलग रखा जाये । जो आदमी गलतियां करता है, उसमें एक वजह तो उसकी आदत हो सकती है, और जो उसके आसपास के हालात होते हैं उनका भी उसकी आदतों पर बड़ा असर पड़ता है । जो उसके आसपास वायुमंडल होता है, उसका भी उसकी आदतों पर बड़ा

असर पड़ता है। लेकिन इस तरह की व्यवस्था इस बिल के अन्दर कहीं नहीं है कि बच्चों को जुर्म करने वाले माता पिता से अलग रखा जाये। मैं चाहता हूं कि जिनको दुबारिया कैदी कहते हैं, जो लोग मारल टरपीट्यूड के लिए सजा पाये हुए हों, उनके बच्चों को उनके पास न जाने दिया जाये, क्योंकि अगर वह अपने ऐसे माता पिता के पास रहेंगे, जिन्होंने समाज के अन्दर बुराइयां सीखी हैं, तो कुदरती बात है कि वह अपने बच्चों को भी वही बुराइयां सिखायेंगे। तो इस में व्यवस्था होनी चाहिए कि ऐसे माता पिता से उनके बच्चों को अलग रखा जाये। आपने दूसरे बिल में यह रखा था कि अगर कोई गरीब मां बाप अपने ६ से ११ साल की उम्र के बच्चे को स्कूल नहीं भेजेगा तो उस पर सौ रुपया तक जुरमाना किया जा सकता है। मैं चाहता हूं कि प्रवर समिति इसके अन्दर भी कोई तजवीज रखे कि जो ऐसे माता पिता के बच्चे हैं जिन्होंने समाज के अन्दर खराबियां की हैं, उनके बच्चों को जो स्पेशल स्कूल बनाये जायेंगे उनमें रखा जाये और उनका खर्चा जहां तक हो सके उनके माता पिता से लिया जाये। लेकिन अगर माता पिता न दे सकें तो कम से कम उन बच्चों को उनके पास न जाने दिया जाये।

इसके अलावा मैं ने देखा है और जिन आदमियों को चाहे कैदी की हैसियत से जिनको पुलिस से, या दुबारिया कैदियों से या जेल के अधिकारियों से वास्ता पड़ा हो या जिनका वास्ता रिफार-मेटरी के अधिकारियों से पड़ा हो वह बता सकते हैं, जैसा कि वारियर साहब ने कहा है, कि ये लोग बच्चों को आम तौर पर अच्छी बातें सिखाने के बजाये बुराई ज्यादा सिखाते हैं। इस बात का खास तौर पर ध्यान रखा जाये कि जो भाई इस काम के लिए भर्ती किये जायें, उनको सिर्फ नौकरी देने के लिए ही भर्ती न किया जाये, बल्कि जो बहुत ऊंचे दर्जे के समाज-सेवक हों, उन्हीं को इन बच्चों के साथ रहने का मौका दिया जाये। उन के लिए कोर्स को बड़ी समझ से प्रैस्काइब करने और स्लाइड्ज़ वगैरह के ज़रिये उनको शिक्षा देने की जरूरत है। इस के साथ ही उन के शिक्षण और पालन-पोषण की व्यवस्था बहुत होशियारी के साथ करने की जरूरत है। मैं चाहता हूं कि कम से कम केन्द्र-शासित इलाकों में इस बिल के पास होने के बाद कोई बच्चा ऐसा न रहे, जिस को कोई भिखारी बना सके, या जो भिखारी हो, या जेब-कतरा हो। ऐसे बच्चों को सरकार ऐसे शिक्षण-केन्द्रों में भेजने की कोशिश करे। साथ ही आप जानते हैं कि अभी हम यह तो नहीं कह सकते कि हमारी पुलिस सोलह आने ईमानदारी से, या सभी भाई ईमानदारी से काम करते हैं। ऐसी तवक्को अभी तो हम नहीं कर सकते हैं। आखिर वे हमारे ही अंग हैं। जैसे समाज में कुछ कुरीतियां हैं, वैसे ही उन में भी कुरीतियां हैं। उन के ज़िम्मे एक बहुत बड़ा काम है खराब बच्चों को छांटना। कई दफ़ा ऐसा हो सकता है कि कोई बच्चा असल में अच्छा हो, लेकिन उन के ख्याल के बमूजिब वह खराब हो। इस में यह प्राविज़न किया गया है कि उन को हवालात में नहीं रखा जायेगा। हमारे पुलिस के भाइयों को आम तौर पर मुलज़िमों से वास्ता रहता है। वे कई दफ़ा कुरीतियां ही सिखाते हैं और उन्हें बच्चों को खास तौर पर कुरीतियां सिखाने का मौका मिल सकता है। इसी लिए यह व्यवस्था की गई है कि उन को हवालात में नहीं रखा जायेगा।

आज तो वक्त नहीं है, लेकिन मैं समझता हूं कि देश में एक वक्त आयेगा, जब हम उन छोटे बच्चों ही नहीं, उन बड़े आदमियों के बारे में यह न मानेंगे, जो कि समाज में कुरीतियां करते हैं, कि खाली उन का ही कुसूर है, बल्कि यह मानते हुए कि समाज के वायु-मंडल का भी कुसूर है, उन को कैद में भेजने के बजाये शिक्षण-केन्द्रों में भेजेंगे। आज भी देश के तकरीबन सारे हिस्सों में इस तरफ़ कोशिश की जा रही है।

Shrimati Renuka Ray (Malda): The protection of childhood and youth against exploitation is one of the cardinal principles in the directives of our Constitution. I am glad to welcome this measure, because in spite of the fact that we have had the Children Act in force in Delhi—I think the Bombay Act has been applied to Delhi—it is not at all satisfactory. I am glad an attempt is being made to have a more satisfactory Act. Before entering into some of the provisions of the Bill and pointing out where they need tightening up, I would like to say that the real thing that should be done is to eliminate the causes which bring about delinquency amongst children.

We know it for a fact that it is among the slum areas that the majority of the juvenile delinquents come into existence, because of the environment and conditions. So, ultimately it is a question of the changing of the economic and social conditions in which they live. We have to see to that and we should not forget this because we bring in a legislation of this nature. I say this in particular because I have a feeling that there is a tendency amongst us to think that institutional care of those who have become delinquents or who have been neglected—not only in regard to children, but others also—justifies this and that if we can make some arrangement for this, we will have done our duty. I do not say that is how the Education Ministry or the Minister himself is actuated, but that is the general feeling in the country even now; it is not institutional care, but it is the family that has to be strengthened, because it is the family which is the nucleus of this nation. That is something which we should know. Today we perhaps do not give that much attention to it that we should.

I think more especially this is true in the case of those who become juvenile delinquents in this country. As I said, it is the slum areas from which a large number of delinquents come. It is obvious that their environmental circumstances and homes need to be tackled first and foremost. If that can be done, we shall bring down the number of those who need to be brought under the legal provisions and brought into the institutions that are set up. I think a great deal more of attention has to be focussed on prevention rather than cure—the medical profession today does recognise the need for prevention rather than cure—in social matters. In these matters, where social reform measures are concerned, I think it is essential that we also pay similar attention.

Turning to the Bill itself, I find that clauses 7 and 9 provide for the establishment of children's homes and there certain details are given about what powers the Administrator should have. I think those things have to be looked into carefully. I am glad that the Bill is going to the Joint Committee. Because, there is no doubt that the type of home depends on the type of person who is going to look after that home. I have nothing against Government as such, but I do think where personal care is required, where a certain amount of individual attention is required, it would be well for us to take the help of existing voluntary organisations which have a good deal of experience in this matter. They may not have the resources or fund today to do it on a widespread scale but it is they who have pioneered this kind of effort and I think that if this is to be satisfactorily undertaken and these homes are to yield the fruit that we hope for, then non-official organisations of repute and standing should be asked for their help. I think the Select Committee might look into this particular clause from that aspect.

In regard to clause 39(1), which relates to the persons who are responsible for the neglect of such homes, I think they should not be let off with such light punishments as six months imprisonment or fine or both. I hope the Select Committee will look into this matter.

Clause 47(1) gives to the Administrator the right to place a child or release a child from the children's home, or special school, and grant him a written licence for such period and on such conditions as might be specified in the licence, permitting him to live under the supervision of any responsible person. A great deal hinges on the word "responsible". If a person is responsible, then there is nothing like that. But a great deal of care and caution have to be taken because it is a known fact, an admitted fact, that in the name of homes for children and women, a great deal of things are done by various types of persons. We have to be very careful that when children are given out to individuals to look after, those individuals are completely above reproach of this type. That is another point which I hope the Joint Committee will go into.

As I said, I welcome this measure and I hope the Joint Committee will go into the points which I have referred to and some other points which I have not the time to refer, and I am sure the Joint Committee will improve upon this Bill.

Mr. Chairman: Shri D. C. Sharma. I hope he will be brief.

Shri D. C. Sharma (Gurdaspur): How many minutes can I take?

Mr. Chairman: Only 5 minutes which, at the discretion of the Chair, can be extended up to 10 minutes.

Shri D. C. Sharma: That is too short. I will require at least 15 minutes.

I welcome this Bill. I think this Bill makes provision for those children who, on account of family circumstances or social circumstances or economic disabilities, had become, so to say, neglected children or delinquent children or children of any kind. It is a social measure of far-reaching consequences. I hope similar measures will be enacted in other States in our country also.

The first point that I want to make is this, that the constitution of the children's courts should be made as simple and uncomplicated as possible.

One of the drawbacks that I have found in this Bill is that it has been made to be by far and large an administrative measure. Here you find that the social worker, the welfare worker, the voluntary and honorary social worker or welfare worker is not being given his due. My feeling is that a Bill like this should attempt a happy compromise between administration and voluntary welfare agencies. I hope that when it goes to the Joint Committee, it will see to it that the element of those persons who are working in an honorary capacity for some of these causes is progressively enhanced. If this Bill is left only to courts and to probation officers and administrators or to this agency and that agency which are all of them Government agencies, I think it will never achieve its objective.

I now come to children's courts. My feeling is that children's courts should be left entirely to women. There should not be any room for men here. I think there are some places from which men should keep away and it is one of those places. It is because the psychology of a child can be understood much better by a woman than by a man however good, kind-hearted and knowledgeable he may be. I think, therefore, that these children's courts should be manned entirely by women. In my country there is no dearth of qualified women to do this.

Again, I find that something is going to be done for children's homes. These children's homes should not be treated like diluted prison houses. After going through this Bill I find that

[Shri D. C. Sharma]

these children's homes are going to be, I should say, prison houses or jails but with an element of mercy added to them. My feeling is that these children's homes should be modelled on our *gurukulas*. If they are modelled like that, I am sure that they will be more conducive to the welfare of children than the so-called children's homes where officialdom reigns and where people who are administrators have their field day.

Then, I would say that instead of having these special schools for children an attempt should be made to integrate these children at the earliest possible opportunity into the body of other children. After all, these special schools are going to have some kind of a social stigma. They are going to suffer from some kind of a social disability and our problem is to make these children shed all those vestiges of past mistakes and past errors. Therefore these special schools should be only temporary homes. They should not be called special schools. They should be called by some other name. They should be called camp schools or something like that. After putting those children in schools like that for three months or four months, in no case for more than six months, they should be sent to normal schools where normal students read.

Of course, so far as the after-care organisations are concerned, as I have said already, there should be room in them for those persons, for those women specially who are interested in the welfare of children.

So far as these neglected children go, I think the provisions are welcome. But I would like to say that the more I go about in this country, the more I come to the conclusion that the number of such children is on the increase; they are doing all kinds of things; they are resorting to all kinds of professions; they are serving in all kinds of ways. My idea is that these neglected children should also be treated in the same way as those children whom we have described in chapter II, namely that they should also be taken away from their evil or bad contacts as early as possible. Of course, there are scores of provisions in this behalf.

I now come to juvenile delinquents. After going through chapter V, I find that these juvenile delinquents are going to be treated in the same way as ordinary prisoners, that is, they will stand trial, they will have to go through the maze of the law and all that kind of thing. I would say that the procedure here should be simplified, and the appeals, revision, this, that and the rest, should be played down. If we are going to treat them like ordinary criminals, I think it is no use.

I set a great deal of store by the probation officer. I welcome this new idea of probation officer. But my feeling is that the Ministry of Education should do something to have these probation officers trained in the proper way. Of course, they are being trained even now, but their training should be complete and comprehensive, because on these probation officers will depend the proper running of these institutions.

The classification of children into neglected children, delinquent children and so on is not to my taste. My feeling is that both the categories should be called unfortunate children. If you call them neglected children, it means that you have given them a social stigma for all time to come. If you call them delinquent children it means that you have bracketed them with the prisoners. Therefore, I would say that the nomenclature should be changed. Of course, this nomenclature prevails in other countries, but we must not have this nomenclature because it gives the children a bad name for all time to come.

I welcome this Bill, but I would say that the legal part of this Bill should be toned down as much as possible and the rehabilitation part should be played up as much as possible, and that rehabilitation should not be done only as an administrative proposition but it should be done also as a voluntary social welfare proposition.

16.33 hrs.

Dr. K. L. Shrimali: There are some points to which I think I should make a reference. As far as the Bill is concerned, it has been generally welcomed by the House, and I am grateful to the Members for having given it a warm welcome.

I think Shri Warior drew our attention to an important point, and that is with regard to after-care homes and after-care organisations. It is very important that after a boy or girl leaves an institution or home, we must take care that he or she does not relapse into the old evil habits, but is properly rehabilitated.

I would like to draw the attention of my hon. friend to clause 10 where provision is made for after-care of the children through after-care organisations.

I would also like to inform him that there are already two after-care homes, one for boys and one for girls in Delhi. After this Bill is passed, we shall strengthen these organisations further so that they can look after the children properly after they have left the homes.

Shri Warior also asked whether we had taken into account the experience of other places which have tried these measures. I would like to inform him that we have taken into account the Bombay Act, the Madras Act and the East Punjab Act. Whatever experience these States have had has been fully considered before drafting this Bill. The provision for the higher age limit for girls is based on the experience which we actually gained in Bombay. Formerly, Bombay also did not have this higher age limit. Later on it was found that this was necessary for the protection of girls.

Ch. Ranbir Singh drew our attention to another important point, that wherever possible we should make the parents pay for the children who are put under homes or some kind of institutional care. I think there is a good deal of truth in what he said, that if we do not do this, we develop irresponsibility among parents. There may be sometimes parents who just think that there will be homes and institutions which will look after them and so they become irresponsible. Therefore, we have a clause, clause 49, which enables us to charge fees from parents or make them pay for the maintenance of children in the homes and institutions wherever we find that they are in a position to make this payment.

I think he also raised the question with regard to classification of children. The Bill has already a provision for classifying children into two categories and we have special schools for them. I would draw his attention to clauses 7 to 9 on page 5 of the Bill.

Shrimati Renuka Ray had an apprehension that when the children were sent out, it was possible that they might be exploited by the persons under whose care they were put. This, again, is a legitimate apprehension. But in the Bill we have a provision to the effect that one of the duties of the probation officers would be to visit such children from time to time and see whether the conditions laid down are observed. I would draw her attention to clause 52(2)(e) of the Bill.

I am sure the Joint Committee will give full consideration to the other points to which hon. Members have referred.

Shri Tyagi (Dehra Dun): I was not here when this was discussed. I would like to ask one question. Who foots the bill for this? Will it be borne wholly by the Central Government or will the State Governments also bear a part of the expenditure?

Dr. K. L. Shrimali: This is a Bill for the Union Territories.

Mr. Chairman: The question is:

"That this House concurs in the recommendation of Rajya Sabha that the House do join in the Joint Committee of the Houses on the Bill to provide for the care, protection, maintenance, welfare, training, education and rehabilitation of neglected or delinquent children and for the trial of delinquent children in the Union Territories made in the motion adopted by Rajya Sabha at its sitting held on the 15th February, 1960 and communicated to this House on the 18th February, 1960 and resolves that the following members of Lok Sabha be nominated to serve on the said Joint Committee, namely Shri P. Subbaiah Ambalam, Shri S. R. Arumugham, Shri S. M. Banerjee, Shri Dharanidhar Basumatari, Shri Bhakt Darshan, Shri Laxmanrao Sharwanji Bhatkar, Shri J. B. S. Bist, Pandit Braj Narayan "Brajesh", Shri Akbarbhai Chavda, Shri Daljit Singh, Shri Nayantara Das, Shri Shree Narayan Das, Shri Resham Lal Jangde, Shri M. R. Krishna, Shrimati Sangam Laxmi Bai, Shri Mathew Maniyangadan, Shri Mohan Swarup, Shri J. G. More, Shri Mohan Nayak, Dr. Sushila Nayar, Shrimati Uma Nehru, Shri Deen Bandhu Parmar, Shri Uddaraju Ramam, Shri Ram Garib, Shri Mahadevappa Rampure, Shri Radha Charan Sharma, Shri Prakash Vir Shastri, Shri Babu Nath Singh, Shri Prabhu Narain Singh and Shri Tula Ram."

The motion was adopted.

16·04 hrs.

HINDU MARRIAGES (VALIDATION OF PROCEEDINGS) BILL

The Deputy Minister of Law (Shri Hajarnavis): Sir, I beg to move:

"That the Bill to validate certain proceedings under the Hindu Marriage Act, 1955, as passed by Rajya Sabha, be taken into consideration."

The necessity for this Bill arose in this manner. Under the Hindu Marriages Act several applications can be made to the court as for restitution of conjugal rights, judicial separation and divorce. Such applications under section 19 must be made to a court which is a District Court; and a District Court has been defined in the Act to mean the principal civil court of original jurisdiction in the area and also to include any other civil court which may be specified by the State Government by notification as having jurisdiction in respect of the matters dealt with in that Act.

As all lawyers are aware and as this House is aware, the District Judge is an over-worked judge and several Additional Judges are appointed and the District Judge transfers several matters which are under the law triable by the District Judge to the courts of the various Additional District Judges. According to the general notions which prevailed elsewhere and which, similarly, prevailed in the Punjab also, it was thought that the court of the Additional District Judge is a court of the District Judge.

For instance in the State in which I practised, there are several decisions of the High Court in which it has been held that the court of the Additional District Judge is a court of the District Judge and, therefore, whatever the District Judge can do, the Additional District Judge can also do. That was the generally accepted interpretation of law in the Punjab also

But there was a case *Janak Dulari* v. *Narayan Das* which came up before the Punjab High Court some time in 1958. Relying on certain observations made in the Supreme Court it was argued that under the Punjab Courts Act, the court of the Additional District Judge is a court different from the court of the District Judge. If we reach that conclusion, then it is necessary that that court has to be notified under the second part of the definition. That was not done either in Delhi or in the Punjab because, as I said, it was interpreted by everyone that the phrase 'Additional District Judge' would mean the District Judge.

The matter was referred to a Bench, and the Bench referred to the fact that the court of the Additional District Judge has always been regarded as the court of the District Judge. But, they held themselves compelled by the observations of the Supreme Court to change their earlier views and held that the court of the Additional District Judge was not a District Court in the absence of a notification and that the proceedings taken there were without jurisdiction.

Immediately after this decision the relevant notification has been issued so that subsequent proceedings taken will all be valid. But, what about those decrees or orders which were passed during the interim period? On the basis that a divorce had been granted marriages might have been contracted. Certain orders might have been executed. On the supposition that a valid divorce was there, parties might have contracted marriages.

If this is the correct interpretation of law, then, of course, they will be involved in various undesirable and serious consequences. There may be prosecutions for adultery and the progeny of such unions by the subsequent marriage will be regarded as bastards. Therefore, it is necessary that all these proceedings which were taken in good faith should be validated.

Sir, this Bill aims to do that. Before I sit down I must express my gratitude to the several hon. lady Members of this House and the other House who have brought this matter forcibly to the notice of the Government. I remember in particular the letters which the hon. Member Dr. Sushila Nayar wrote to us, pointing out to us the necessity of this Bill.

Mr. Chairman: A doubt arises in my mind. Now, a decree passed by a court which has no jurisdiction is a non-entity. The question, therefore, arises whether you can validate a thing that does not exist. You can, of course, validate a thing that does exist and which is irregular. Has the hon. Minister considered this question?

Shri Hajarnavis: With due deference, Sir, there are several precedents of this having been done.

Mr. Chairman: If it can be done, then it is all right.

Shri Hajarnavis: After the decision of the Privy Council and the various High Courts, validating Acts have been passed. So, there is no question that this will not serve any useful purpose.

Mr. Chairman: The question is:

"That the Bill to validate certain proceedings under the Hindu Marriage Act, 1955, as passed by Rajya Sabha, be taken into consideration."

The motion was adopted.

Mr. Chairman: We will now take up clause by clause consideration.

There are no amendments. The question is:

"That clauses 1 and 2, the Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

Clauses 1 and 2, the Enacting Formula and the Title were added to the Bill.

Shri Hajarnavis: Sir, I beg to move:

"That the Bill be passed".

Mr. Chairman: The question is:

"That the Bill be passed."

The motion was adopted.

Mr. Chairman: Since the Half-an-House discussion has been fixed for 5 O'clock, the House stands adjourned till then.

16.49 hrs.

The Lok Sabha then adjourned till Five of the Clock.

Lok Sabha re-assembled at Five of the Clock.

17 hrs.

[MR. SPEAKER *in the Chair*]

*BOLANI ORE MINES

Mr. Speaker: Hon. Members know with the respect to half-an-hour discussion, the hon. Member who has tabled the motion will have ten minutes and the hon. Minister, 10—15 minutes and the other hon. Members who have given notice will be allowed to raise one or two points for elucidation.

Shri Chintamoni Panigrahi (Puri): Mr. Speaker, Sir, this discussion relates to the Bolani Ore Mines Private Limited, in which the Government of India owned a share of 50·5 per cent. and the private company owns a share of 49·5 per cent. The managing agents of this company are Messrs. Bird and Company and the Government of India has entered into partnership with the Orissa Minerals Development Company of which also Bird and Company is the managing agents. I am pursuing this question for the last two years and the hon. Minister, Sardar Swaran Singh has always maintained that the Government has a majority share in this company. The hon. Minister has tried to keep this House misinformed and to that extent he has tried his best to uphold a wrong deed committed by the Ministry. On entering into this agreement with a private company on 5th August, 1959, the hon. Minister said in this House that the Government of India owned a majority share in the Bolani Ores Private Limited. Then he has said that in a venture where the majority is owned by the Government and only a minority is owned by the other party, we cannot say that the interests of the Government have not been sufficiently safeguarded. Again he has asserted that there is nothing wrong in principle in having a partnership in which the Government is the majority partner and the other participant is only a minority partner. I have never found any responsible Minister so strongly defending a case which is so weak.

Mr. Speaker: What are the facts, apart from comments?

Shri Chintamoni Panigrahi: The hon. Minister was confronted with this question on 9th December, 1959 and you were in the Chair, Sir, and you said to the Minister:

> "I heard the other day the Minister saying that even if there is one point, there is majority. If the Company Law says that 51 per cent. alone will be counted as majority, what is the difference due to?"

After this intervention from you the hon. Minister tried to retrace his steps and after maintaining that stand for two years he said:

> "when I used that word I did not use it in the sense of the company law administration. It was

*Half-an-hour discussion.

not a legal expression that I was using 50·5 per cent. is a major share as compared to 49·5".

This is the point which I want to impress upon the House. According to the Company Law of 1956 it has been expressly and clearly stated that if the Government wants to invest any capital in any private company, it must not invest less than 51 per cent.

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): Where is it said?

Shri Chintamoni Panigrahi: I am referring to Section 617 of the Companies Act of 1956.

Sardar Swaran Singh: When was the Bolani Ores Ltd. incorporated?

Shri Chintamoni Panigrahi: After 1956, not before 1956. After the passing of this Act the Government entered into this agreement with this company. Now, the fact is that the Government does not own majority shares in the Bolani Ores (Private) Limited, and the Government, according to the Articles of Association, owns equal shares with a foreign private mining institution for supplying iron ore for 15 years to Durgapur, a steel project which is in the public sector. This is against the industrial policy resolution of the Government. It has been specifically stated that the Government should own 51 per cent., but the Government has chosen not to own 51 per cent. To own 51 per cent. is to exercise controlling interest in a company in which the Government is investing lakhs of rupees.

Mr. Speaker: What is the total investment in this?

Shri Chintamoni Panigrahi: Till today, Sir, the Government have invested Rs. 33 lakhs and the private partner has invested Rs. 32 lakhs, and they have entered into this agreement with this company for 15 years.

Now, the point is, why did the Government choose to have this investment of less than 51 per cent. of shares in a company whose capital is completely or 90 per cent. owned by British foreign capital? One argument which has been put forward by the hon. Minister is that in those areas the Orissa Minerals Company had the entire lease in the Bolani Ores area and, therefore, the Government had no option but to entered into agreement with the Orissa Mineral Development Company so as to supply iron ore for Durgapur. This, again, Sir, is a mis-statement of facts.

I would submit, the lease for this area expired in the year 1948. After 1948, Messrs. Bird and Company, which is very notorious, applied to the State Government of Orissa to extend the period of lease.

Mr. Speaker: Order, order. Nothing is gained by using such expressions. They are not here to defend themselves. If he wants to pay encomium to them he may say that it is a famous company, or he may keep quiet.

Shri Chintamoni Panigrahi: I withdraw that word, Sir.

Mr. Speaker: He can say that it is a well-known company.

Shri Chintamoni Panigrahi: I withdraw that word. I was saying, after 1948 when the period of the lease was over they applied to the Orissa State Government to extend the period of lease, but the State Government of Orissa refused to extend the lease. But it so happened that a sum of Rs. 2 lakhs was donated by this company to an ex-Minister of Industries of the State of Orissa by way of contribution to a college owned by that ex-Minister.

[Shri Chintamoni Panigrahi]

This application for extension of the period of lease was pending with the State Government when this contribution of Rs. 2 lakhs was made. After this contribution the State Government forwarded their application to the Centre. The Central Government also, in the first instance, quite rightly, refused to extend the period of lease. But what happened in the meantime was, certain high ranking officials in the Ministry of Steel, Mines and Fuel and also in the Ministry of Finance, held discussions and persuaded the Government of India to enter into an agreement with the Bolani Ores (Private) Limited.

My submission is, there was no necessity on the part of the Government to enter into any agreement with Orissa Minerals Development Company of which Messrs. Bird and Company are the managing agents, because in the case of Bhilai and in the case of Rourkela the Government has developed mining interests departmentally. Similarly, in the case of Durgapur they could have done the same thing when the period of lease expired, because the Government of India had every right not to extend the lease and to take over that area and to develop that area for supplying iron ore to Durgapur. The Government has not done it. Now, the point is, when the Bolani Ores Private Limited was incorporated, and when the application was forwarded to the Government of India, the period of lease was extended in the hope that once this agreement was entered into the Government of India would not refuse the period of lease. So, in order to circumvent it, when the Government of Orissa did not first agree, and when the Government of India also did not like to extend the period of lease, the private mining interests were able to persuade and influence the Ministry of Steel, Mines and Fuel and the Ministry of Finance and those officers, so as to force the Government of India to come to a decision or an agreement in which both the mining interests and the interests of the country as a whole would suffer.

There is another point. Many times, it has been asked whether the Government will have any controlling interest if they own less than 51 per cent. of the shares. I submitted that the Government cannot have any controlling interest if the share owned by them is less than 51 per cent. What has happened? Out of the five members in the board of directors, three members belong to the company—the chairman belongs to the company—and only two members belong to the Government. Naturally, the Government will never have any controlling interest in such a company in which crores of rupees will be invested during the course of 15 years. Therefore, I would submit that the Government of India should reconsider its decision. The Government of India has invested money in other private corporations also. Take, for instance, the Eastern Shipping Corporation and the Western Shipping Corporation. Here, the Government of India has entered into an agreement with private interests but has owned not less than 51 per cent. but more than 51 per cent., so that the Government of India exercises the controlling interest in those companies. Similarly, in the Bolani Ores Private Limited, the Government of India must have a controlling interest and they must have 51 per cent. of the shares and also they must have three members in the board of directors instead of two, and thus be able to see that whatever action or whatever measures the Bolani Ores Private Limited is going to undertake, it must be controlled and guided by the Government of India as a whole. The Government of India must have the final authority and not Messrs Bird & Co., or their managing agents.

With regard to the question of secretaries and treasurers, I have come to know that this deal was effected only with a view to help Bird and Company so that they can be appointed as secretaries and treasurers of Bolani Ores Private Limited. If the Government of India

should have 51 per cent. of the shares, then Bolani Ores Private Limited or Bird and Company could not have been appointed as the managing agents or secretaries and treasurers. Therefore, what much amount they have received by now by way of remuneration as secretaries and treasurers of Bolani Ores Private Limited could not have been received then.

So, I would like to urge upon the Minister to realise that here is a case where the interests of the Government have not been safeguarded. Here is a case where the Government of India has invested Rs. 33 lakhs by now and is going to invest crores of rupees within a period of 15 years. Naturally, the House must see to the interests of the Government of India and of the country also in these matters.

Lastly, I must submit that here is a case where, by Bird and Company being appointed as secretaries and treasurers of Bolani Ores Private Limited, many complications will arise in the near future. With regard to the question of the prices of iron ore, it is well known, and the hon. Minister knows it, that the iron ore produced at Bolani will actually cost Rs. 7 to Rs. 8 per ton but they are going to supply it at Rs. 13-8-0 per ton to Durgapur. The hon. Minister may say that by that the Government of India may profit because whatever profit will accrue to Bolani Ores Private Limited the Government of India will have its share; but that is not my point. My submission is that we must see that Bolani Ores Private Limited, if it is developed, must be developed under the guidance and control of the Government of India, and the Government of India must have complete control over this company so that the interests of mining will be safeguarded. Here is a clear case of corruption, how a certain private mining interest can influence the high persons in the Steel Mines and Fuel Ministry, so that Government would not see the point that having less than 51 per cent. of the shares means having no controlling interest and thereby help a private mining interest which has never been helpful to the Government of India before and is never going to be helpful henceforward also.

I hope the hon. Minister will give due consideration to the points I have raised.

Shri Vidya Charan Shukla (Baloda Bazar): I want a clarification.

Mr. Speaker: Why did he not give notice and conform to the rules? I am really surprised. All right; he may put one question.

Shri Vidya Charan Shukla: One question that has been asked in this House and has not been properly replied to by the Minister is why this Bolani Ores (Private) Limited was formed at all. One reason that was given was that the lease in that area was primarily in the hands of Bird and Company and because of that, iron ore areas were not available to the Government for exploitation and supply of iron ore to the Durgapur plant. It is common knowledge that Barajamda Gua-Bolani region is a vast iron ore-bearing area and Government could have easily developed that area for Durgapur. The Minister would do well to clear these doubts here and give us the reasons which prompted the Government to make arrangements with a private company, instead of making a departmental arrangement as they did in the case of Bhilai and the other steel plant.

Sardar Swaran Singh: The arguments advanced by Shri Panigrahi fall into two categories. One is what he has been pleased to describe as a sort of legalistic argument and in support of that, he quoted section 617 of the Indian Companies Act. While quoting this section what he actually said was that under that section, when Government enters into any company as a shareholder, it cannot take a share less than 51 per cent. That is what I understood him to say. I have not been able to see anything like that

[Sardar Swaran Singh]

from that section at all. Section 617 only defines what a Government company is. There are certain things which are the special attributes and privileges or whatever we may call it, attaching to companies which come within the definition of Government companies.

Section 617 defines that for any company to be a Government company, the Government must own 51 per per cent. or more. That does not by any stretch of imagination mean that if they want to take a share in any company, they must take 51 per cent. For a company to come within the definition of a Government company, Government should have 51 per cent. Actually no company law can ever prescribe what should be the share of the Government in a company.

Mr. Speaker: The main point is why should Government take 50·5 per cent, when Government can have a dominant voice if they take 51 per cent. of the shares?

Sardar Swaran Singh: That is a valid point to which some reply is necessary. But we have to be clear that to create this impression that Government is not entitled to take a share in any company, unless it is 51 per cent. is an argument which is not borne out by the section of the Companies Act which he quoted.

Now the second question is why the Government should enter into a partnership with the company and not have 51 per cent. or more. That is a matter which has to be left to the judgment of the Government. What I mean to say is that there is nothing illegal or objectionable on that score. So, it is really a matter of coming to a decision in retrospect by way of *post mortem* and the like whether it was a correct decision or whether it was a proper decision or a wise decision. On that score, I may respectfully point out this point has already been discussed and I ventured to place those points which weighed with the Government at the time when this decision was taken early in 1957 to enter into a partnership, why the Government deliberately took a decision not have so much share as to convert it into a Government company. I would say that this was not a case in which the Government was unaware of the rights that will flow to the Government if it had 51 per cent. The deliberate decision was to have a majority share, and I still maintain that it is a majority share because 50·5 is larger than 49·5. The hon. Member has been pleased to say that I have been wrongly describing it and misinforming the House. It passes my comprehension how my discription of 50 5 per cent. Government shares as majority share, as compared to 49·5 shares of the company, can be described as incorrect, how it is not a majority share is something which I cannot understand.

The third point is, as you rightly pointed out, why should Government adopt this course. For this there were a number of reasons which I attempted to list on an earlier occasion. One was that this area was actually in possession, of the Orissa Mineral Development Corporation, which is wholly owned or predominantly owned by Bird & Company. Secondly, we came to the conclusion that the iron ore from this mine will be very suitable for Durgapur. That incidentally answers the question which was raised by my hon. friend, Shri Shukla. So, if that area is developed, it could be utilized for raising the iron ore supply to Durgapur. We have to remember that in our country we are lucky and we have got over, I think, 22 billion to 24 billion tons of iron ore. Still, we have to look to those areas wherefrom we can mine the right type of iron ore and can also transport it in a convenient manner by not putting too much of strain on our transport system, that is, the railway system, to our steel plants. All these factors were taken into con-

sideration and it was considered that this area is appropriate and suitable.

These two points having been cleared, we could do either of the two things—we could either acquire, the mining rights by negotiation or perhaps legislation or even by amending the law, if we liked to do so, or the other thing was to enter into a partnership with a firm who was known to be a firm with great experience and background for undertaking mining projects, and of the two we decided upon the second alternative.

It is easy to be critical or wise after the event. It has to be remembered that in early 1957 when a decision to this effect was taken, the department at that time which was directly dealing with all these matters had a large number of programmes in their hands—expansion of the three steel plants, two mining projects for Bhilai steel plant and for Rourkela steel plant. On these the decisions had to be taken.

The point that I want to stress is that a decision not to undertake direct departmental mining in this area does not in any way show that anybody really gave anything to anybody, as was hinted by the hon. Member opposite, who initiated this discussion. In that connection, he himself pointed out the extraneous circumstances about the donation of Bird and Company to some one in Orissa. I am not aware of that. Therefore, I am unable to contradict that.

I know this Bolani Project has been on his mind for quite some years now. Quite often he has been asking questions. He raised a half-an-hour discussion also earlier. Again he is mentioning something. So, in all fairness, if that was really the thing that was bothering him, he should have communicated that to me so that I could ascertain the facts. It is a little unfair that an allegation of that type should be made here suddenly, particularly when this matter was raised on an earlier occasion also, so that I am not in a position to ascertain that fact or to find out from the Orissa Government or the Minister concerned as to what is his reply to an allegation of that type. So I would appeal to the hon. Member not to make an allegation of that type, of a specific character particularly when he has been raising this matter again and again. If my memory helps me, it is for the first time that he has come out with this sort of an allegation. This, to say the least, is very unfair because I cannot really now contradict him because I cannot get into touch with those people and find out the background.

But I have a further objection to raising an allegation of that type. It is totally irrelevant so far as the present matter is concerned. The Orissa Mineral Development Corporation is a partner and the Government is owner to the tune of 50·5 per cent. in the new organisation. For any lease that is to be given to Bolani Ores in which Government holds a majority share and from which the iron ore is to be supplied to the Durgapur steel plant for any party or any person really to suggest or anybody should have the necessity to resort to this sort of thing is extremely unfair, unrealistic and totally ignores the commonsense point of view which should be a guiding principle in this matter. So I strongly refute any such insinuation, because here is a company which is predominantly a Government company in the sense that Government owns a majority share and from which iron ore is to be supplied to the Durgapur steel works, or suggestion that there should be any extraneous consideration in the matter of granting a mining lease to that organisation.

I would also strongly refute the insinuation made against officers that there was any undue influence exercised by any person for issue of a mining lease in favour of a company

[Sardar Swaran Singh]

where Government is a partner and which is to suply iron ore to a Government plant. To the suggestion that some officer either of this or of that Ministry should be specially interested in issuing a licence to them, I say that Government as a whole is very vitally interested in the issue of that mining lease because we want that iron ore should be mined and should be supplied to Durgapur. So, why name this officer or that officer? Government takes full responsibility for issuing the mining lease to Bolani Iron Ores which must proceed quickly with the mining of iron ore so that the supplies to Durgapur should be expedited. Already there has been some delay. I am sorry for that. In the meantime we had to depend upon iron ore from other sources.

It is lightly mentioned by some hon. Members why not get iron ore from this source or that source. The technical advice which we have received is to this effect that we should attach the highest importance to the raw material that goes into any steel plant. It is not any iron ore. There are a number of things to be seen, the iron content, the alumina content and a number of other things. The success of a modern metallurgical plant depends to a very large extent upon the right type of raw material, the analysis of which should be fully known, quantities of which should be constantly supplied and the quality should be uniform. So all the arrangements should be made in accordance with that.

This point has been raised again and again, but I regret to say that every day something new is suggested and new insinuations are brought in. It is a straightforward thing. We could have undertaken it departmentally. We did not undertake it departmentally for two reasons. One is that we wanted private capital to be associated. Even in other projects where Government might be a shareholder the possibility of associating private capital in partnership is not excluded. As to what should be the exact proportion, that will depend upon each project, the priority of that and the national importance. All those factors will be taken into consideration. So, one reason was that we wanted to take private capital in partnership and the second was that we wanted to take advantage of the experience, the technical know-how and the other capacity of this firm. This arrangement was entered into in a very straight-forward manner and any insinuation and throwing of dust, to say the least, is extremely unjustified.

Shri Chintamoni Panigrahi: May I submit one thing?....

Mr. Speaker: There can be no more speeches. What is the point of the hon. Member?

Shri Chintamoni Panigrahi: The lease for this area expired in 1948. So, my point has been substantiated namely that the lease period had expired; but in order to get Government committed so that the lease would be extended, Government entered into an agreement with this company. When the lease had expired, Government were fully competent to have the mining interests in their own hand. Why was the lease extended? For, after the formation of this company, the lease was extended.

Mr. Speaker: What the hon. Member wants to know is this. When the lease had expired, Government could have taken it up themselves. Instead of that, why did they extend the lease and enter into a partnership with 50.5 per cent. shares for Government and 49.5 per cent. for the other private company?

Shri Chintamoni Panigrahi: There is just one more point. The Government of India have also entered into an agreement with other private companies. To mention two, they have entered into an agreement with the Eastern Shipping Corporation and the Western Shipping Corporation, and in these, they have 51 per cent. shares.

Why has this single exception been made to attract private capital, only in the case of Bird and Company?

Sardar Swaran Singh: I think the hon. Member is not fully informed when he suggests that whenever Government enter into a partnership, they do not subscribe to a share less than 51 per cent. He should remember for instance that in the Indo-Stanvac Oil Exploration Programme, Government have only 25 per cent. shares. So, to say that whenever Government enter into any partnership, they should necessarily have the majority share or a share which is represented by certain percentages, is not correct.

The second point that he has made is about the expiry of the mining lease. That is a matter of detail. I have not looked into all those details, because all this would be on the file of the Orissa Government, for, the issuing of mining leases, the question of processing, the issuing of notices etc. is all the responsibility of the State Government.

Shri Chintamoni Panigrahi: It is not in the State List; the State Government forward it to the Central Government, and it is the Central Government that grant the lease.

Sardar Swaran Singh: That also has started only lately; originally, they decided most of the things.

The point is that merely because a particular mining lease has expired it does not mean it cannot be extended; there are a number of clauses there, maybe renewal clause, clause relating to physical possession and other things. Therefore, we did not enter into this merely because there was no legal obstacle; that is not the point which I am trying to stress; that was only a reply to the legal queries that he had raised. The decision was a substantive one to associate private capital and to take advantage of the private skill and private know-how and the technical personnel; it was for that reason that this was entered into.

The subsequent issue has been put by the hon. Member the other way round. He says that they got Government committed in order to get the lease. That is not correct. We entered into a partnership to associate private capital and to take advantage of the technical know-how, and the issuing of a mining lease was a necessary corollary from that.

Shri Chintamoni Panigrahi: Will you kindly enquire into this matter, so that everything may be all right, because we differ in all the details? I seek your protection, Sir.

Mr. Speaker: I cannot do anything.

Shri Chintamoni Panigrahi: You may just enquire into this.

Mr. Speaker: I have allowed the half-an-hour discussion. I cannot offhand do this or that; I have no right.

17·34 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Friday, the 29th April, 1960/Vaisakha 9, 1882 (Saka).

[*Thursday, April* 28, 1960/*Vaisakha* 8, 1882 (*Saka*)]

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PAPERS LAID ON THE TABLE . . . 14399—408

(1) A copy of the Agreement made between the Government of India and S.C.K. (Agencies) Limited, General Sir James Marshall-Cornwall and S.G. Klein, in respect of certain claims arising out of a contract for supply of jeeps.

(2) A statement containing brief replies to various items raised in the Audit Report, Defence Services, 1960.

(3) A copy of each of the following papers under sub-rule (5) of Rule 3 of the Air Corporations Rules, 1954 :

(*i*) Summary of the Budget Estimates of Revenue and Expenditure of the Indian Airlines Corporation for the year 1960-61

(*ii*) Summary of Actuals for the year 1958-59 and Budget Estimates and Revised Estimates for the year 1959-60 and Budget Estimates for the year 1960-61 under Capital of the Indian Air Lines Corporation.

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(*iii*) Summary of Budget Estimates of Revenue and Expenditure of the Air-India International Corporation for the year 1960-61

(*iv*) Summary of Actuals for the year 1958-59, Budget Estimates and Revised Estimates for the year 1959-60 and Budget Estimates for the year 1960-61 under Capital, of the Air-India International Corporation

(4) A copy of Agreement made between the Government of India and Messers Citizen Watch Co., Tokyo for the manufacture of watches.

(5) A copy of the Notification No. G.S.R. 452 dated the 23rd April, 1960 under sub-section (2) of Section 7 of the Employees' Provident Funds Act, 1952, making certin amendment to the Employees' Provident Funds Scheme, 1952.

(6) A copy of each of the following papers :

(*i*) Annual Report of the Hindustan Chemicals and Fertilizers Limited for the year 1958-59 along with the Audited Accounts and comments of the Comptroller and Auditor General, thereon, unsub-section (1) of Section 639 of the Companies, Act, 1956

(*ii*) Review by the Government of the working of the above Company

(7) A copy of Notification No. G.S.R. 430 dated the 16th April, 1960 under sub-section

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(3)of Section 40 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954, making certain further amendment to the Displaced Persons (Compensation and Rehabilitation) Rules, 1955

REPORTS OF ESTIMATES COMMITTEE PRESENTED . . 14409

Ninety-second and Ninety-fifth Reports were presented.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE . . 14410—12

Shri P. C. Borooah called the attention of the Minister of Transport and Commiunications to the reported danger facing inland water transport on the river Brahmaputra.

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur) laid on the Table a statement in regard thereto .

MOTIONS FOR CONCURRENCE TO REFER BILLS TO JOINT COMMITTEE . 14413—531

(1) Further discussion on the motion for concurrence in the recommendation of Rajya Sabha to refer the Delhi Primary Education Bill to Joint Committee. The motion was adopted

(2) The Minister of Education (Dr. K.L. Shimali) moved the motion for concurrence in the recommendation of Rajya Sabha to refer the Children Bill to Joint Committee. The motion was adopted.

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BILL PASSED 14532—35

The Deputy Minister of Law (Shri Hajarnavis) moved for the consideration of the indu Marriages (Validaton of Proceedings Bill, as passed by Rajya Sabha. The motion was adopted. After clause-by-clause consideration the Bill was passed.

HALF-AN-HOUR DISCUSSION . . . 14535—50

Shri Chintamoni Panigrahi raised a half-an-hour discussion on points arising out of the answer given on the 3rd March, 1960 to Starred Question No. 580 regarding Bolani Ore Mines.

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh) replied to the debate.

AGENDA FOR FRIDAY, APRIL 29, 1960/VAISAKHA 9, 1882 (SAKA)—

Consideration of Private Members' Bills and discussion on month re. Joint Communique issued on the conclusion of talks between Prime Ministers of India and China.

GMGIPND—LS II—355 (Ai) LS—16- 5-60—950.